

"establishing" in each of said lines and before the word "the" in each of said lines, the words following: "or refusing to establish".

And said section six (6) of said act is hereby further amended by striking out the word "judgment" in line twenty-three of said act, after the word "the" and before the word "of", and inserting in lieu thereof, the word "finding".

And said section six (6) of said act is hereby further amended by adding to said section at the end thereof, the following:

"If the appeal is from the amount of damages allowed, the amount ascertained in the district court shall be entered of record, but no judgment shall be rendered therefor. The amount thus ascertained shall be certified by the clerk of said court to the board of supervisors, who shall thereafter proceed as if such amount had been by it allowed the claimant as damages. If the appeal is from the action of the board in establishing or refusing to establish said drainage district, the court shall enter such order as may be proper in the premises, and the clerk of said court shall certify the same to the board of supervisors, who shall proceed thereafter in said matter in accordance with the order of the court. How the costs shall be distributed among the litigants and against whom the same shall be taxed shall rest in the discretion of the trial court."

SEC. 5. **Letting work** That section eight (8) of said act be, and the same is hereby, amended by inserting in line six thereof, after the word "the" and before the word "completion", the words "commencement and".

SEC. 6. **When levee or drainage district proves insufficient.** That section twenty-six of said act be, and the same is hereby, amended by inserting after the word "established" in line two of said section and before the word "or", the following: "either by legal proceedings or by private parties".

SEC. 7. **In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Daily Register and Leader, and in the Des Moines Daily Capital, two newspapers published in Des Moines, Iowa.

Approved March 10, A. D. 1906.

I hereby certify that the foregoing act was published in the Des Moines Daily Register and Leader and the Des Moines Daily Capital, March 13, 1906.

W. B. MARTIN.
Secretary of State.

CHAPTER 86.

PRELIMINARY EXPENSES IN CONNECTION WITH DRAINAGE DISTRICTS.

H. F. 128.

AN ACT providing for the payment of preliminary expenses in connection with drainage districts, and making suitable provision for same. [Additional to chapter two (2) of title ten (X) of the code, and chapter sixty-eight (68) of the acts of the Thirtieth General Assembly, relating to levees, drains, ditches and water courses.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Preliminary drainage expenses—how paid.** Whenever a petition is filed with the county auditor of any county within the state, as contemplated in chapter sixty-eight (68) acts of the Thirtieth (30th) General Assembly of Iowa for the establishment of a drainage district in any county or counties within the state, the board of supervisors of said county (or counties if there be more than one) are hereby authorized to pay all necessary preliminary expenses in connection with said drainage district, out of the general county fund of said county, or if there be more than one county from the general county fund of each of the counties included in said district in such proportion as the work done or expense created in each county bears to the whole amount of work done or expense created, said amounts to be deter-

mined by the engineer in charge of the work, and they shall replace the same to the credit of the county fund of said county or counties as their interests may appear as soon as possible after the drainage district is established, or if said district be not established, then said amounts shall be paid from the proceeds of the bond deposited with the county auditor for that purpose, as provided for in chapter sixty-eight (68) acts of the Thirtieth General Assembly of Iowa.

SEC. 2. In effect. This act, being deemed of immediate importance, shall be in force from and after its publication in the Register and Leader, and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Approved February 22, A. D. 1906.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital, February 23, 1906, and the Register and Leader, February 26, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 87.

STREET RAILWAYS OVER HIGHWAYS.

S. F. 347.

AN ACT to amend the law as it appears in section two thousand and twenty-six (2026) of the supplement to the code, relating to street railways over highways.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Operation over highways. That section two thousand and twenty-six (2026) of the supplement to the code be amended by striking from the twelfth line thereof the words "to any state institution".

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect from and after its publication in the Register and Leader, and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Approved April 9, A. D. 1906.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital, April 14, 1906, and the Register and Leader, April 19, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 88.

COLLECTION OF FEES IN THE OFFICE OF THE SECRETARY OF STATE.

H. F. 171.

AN ACT to amend section two thousand and fifty-two (2052) of the code relating to the collection of fees in the office of the secretary of state.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Fee for recording railroad contracts. That section two thousand and fifty-two (2052) of the code be and is hereby amended by striking out of the tenth line the words "one dollar", and inserting in lieu thereof the words, "ten cents per hundred words", and by inserting after the word "declarations" in the eleventh line thereof the words "but in no case shall the fee be less than one dollar".

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and in the Des Moines Daily News, two newspapers published in Des Moines, Iowa.

Approved March 30, A. D. 1906.