

## CHAPTER 154.

## NUISANCES DEFINED IN CONSTRUCTION OF DRAINAGE DITCHES.

S. F. 802.

AN ACT to repeal the law as it appears in section nineteen hundred forty-eight (1948) of the supplement to the code, 1907, and to repeal the law as it appears in section nineteen hundred eighty-nine-a fifteen (1989-a15) of the supplement to the code, 1907, and to enact a substitute therefor, defining nuisances in construction of drainage ditches, and making the obstruction of such ditches and levees a misdemeanor.

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

SECTION 1. **Repeal.** That the law as it appears in section nineteen hundred forty-eight (1948) of the supplement to the code, 1907, be and the same is hereby repealed.

SEC. 2. **Repeal—nuisances.** That the law as it appears in section nineteen hundred eighty-nine-a15 (1989-a15) of the supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

“Any ditch, drain or water course, which is now or hereafter may be constructed so as to prevent the surface and overflow water from the adjacent lands from entering the same, is hereby declared as a nuisance and may be abated as such. Any person, firm or corporation diverting, obstructing, impeding or filling up, without legal authority any ditch, drain or water course, or breaking down any levee established, constructed or maintained under any provision of law, shall be deemed guilty of a misdemeanor and punished accordingly.”

Approved April 2 A. D. 1913.

## CHAPTER 155.

## CLAIMS OF SUB-CONTRACTORS FOR CONSTRUCTION OF DRAINAGE DITCHES.

Sub. for S. F. 815.

AN ACT providing for the securing of claims of sub-contractors who furnish labor or material for construction of drainage ditches, in addition to chapter two-a (2-a) title ten (10) [X] supplement to the code, 1907.

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

SECTION 1. **Claim—how filed—time.** Every mechanic, laborer, or other person who as sub-contractor, shall perform labor upon or furnish materials for the construction of any drainage ditch provided for in this chapter, shall have a claim against the funds provided for the payment of said ditch and improvements for the value of such services and material not in excess of the amount of the contract price for which no warrants shall have been issued at the time of the filing of said claim. Such claim shall be made by filing with the county auditor an itemized sworn statement of the demand at any time after the performance of the labor or furnishing of the material, but within thirty (30) days from and after the completion of the contract, and such claims shall have priority in the order in which they are filed, provided that