

peals or actions for or in behalf of the district, the board of supervisors and the drainage district it represents may sue as and be entitled the plaintiffs.

SEC. 2. Failure to perform work—penalty. That section nine (9) of chapter one hundred eighteen (118) of the acts of the thirty-third general assembly be and the same is hereby amended as follows:

By inserting, after the words "in the name of the county in behalf of said district," in the ninth and tenth lines thereof, the words "or in the name of the board of supervisors and of the said district."

Approved April 19 A. D. 1913.

CHAPTER 157.

ASSESSMENT FOR BENEFIT OF ROADS IN DRAINAGE DISTRICTS.

H. F. 66.

AN ACT to amend the law as it appears in sections nineteen hundred eighty-nine-a-nineteen (1989-a-19), nineteen hundred eighty-nine-a-twenty-six (1989-a-26), nineteen hundred eighty-nine-a-twenty-seven (1989-a-27), and nineteen hundred eighty-nine-a-thirty-eight (1989-a-38), of the supplement to the code, 1907, and section sixteen (16) of chapter one hundred eighteen (118) of the acts of the thirty-third general assembly, section five (5) of chapter twenty-four (24) of the acts of the thirty-fourth general assembly, and chapter one hundred twenty (120) of the acts of the thirty-third general assembly relating to assessments for benefits to roads, streets, and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued.

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

SECTION 1. Construction across highways—interest on final assessment. That the law as it appears in section 1989-a-19 of the supplement to the code, 1907, as the same was enacted by section 16 of chapter 118 of the acts of the thirty-third general assembly, and amended by section 5 of chapter 24 of the acts of the thirty-fourth general assembly, be, and the same is hereby amended by adding thereto the following, to-wit:

"The amount finally assessed for benefits to highways shall draw interest at the same rate and from the same time as the assessment against lands."

SEC. 2. How paid—improvement certificates—waivers. That the law as it appears in section 1989-a-26 of the supplement to the code, 1907, be and the same is hereby amended by adding thereto the following, to-wit:

"If the board of supervisors provides for the issuance of improvement certificates by the owners of lands, the township trustees may execute waivers, and there may be issued improvement certificates for such part of the assessment for benefits to highways as is to be paid by the township, such waivers and certificates to conform as nearly as may be to those executed upon the assessments against lands."

SEC. 3. Drainage bonds—benefits to highways included. That the law as it appears in section 1989-a-27 of the supplement to the code, 1907, as amended by chapter 120 of the acts of the thirty-third general assembly, be, and the same is amended by adding thereto the following, to-wit:

"When the board of supervisors shall provide for the issuance of drainage bonds, it shall determine what part, if any, of the amount assessed for the benefits to highways shall be included in such bond issue, and such part, with interest, shall be paid out of the proper funds in the same yearly proportion and at the same times as the assessments against the lands of private owners."

SEC. 4. Cities and towns included—benefits assessed—notice—objection—appeal. That the law as it appears in section 1989-a-38 of the supplement to the code, 1907, be, and the same hereby is amended by adding thereto the following, to-wit:

“Whenever the streets, alleys, public ways or parks of any incorporated town or city, or city acting under special charter, so included within a levee or drainage district, will be beneficially affected by the construction of any improvement or improvements in such district, it shall be the duty of the commissioners appointed to classify and assess benefits to determine and return in their report the amount of benefit to such streets, alleys, public ways and parks, and notice thereof shall be served upon the clerk of such incorporated town or city, or city acting under special charter, and the town or city council, or clerk of such town or city, may file objections to such assessment in the time and manner provided in case of land owners, and the town or city council shall have the same right to appeal from the finding of the board with reference to such an assessment, and such assessment, as finally established, shall draw interest at the same rate and from the same time as the assessments against lands, and the board of supervisors and the town or city council shall have the same power and authority in reference to issuing improvement certificates or drainage bonds and executing waivers on account of such assessment for benefits to streets, alleys, public ways and parks as is herein conferred upon the board of supervisors and township trustees in reference to assessment for benefits to highways.

SEC. 5. Retro-active. The provisions of this act are hereby made retro-active, and all waivers and improvement certificates heretofore issued by boards of supervisors are hereby legalized, confirmed and made valid.

SEC. 6. 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 the Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved March 29 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 9, 1913.

W. S. ALLEN,
Secretary of State.

CHAPTER 158.

LEVEES, DRAINS, DITCHES AND WATER COURSES.

S. F. 367.

AN ACT relating to levees, drains, ditches and water courses additional to chapter two (2) title ten (X) of the code and amendments thereto and to chapter two-a (2-a), title ten (X) of the supplement to the code, 1907, and amendments thereto and amending section one thousand nine hundred eighty-nine-a-twenty-one (1989-a-21) and section one thousand nine hundred eighty-nine-a-fifty-two (1989-a-52) of the supplement to the code, 1907, and section one thousand nine hundred eighty-nine-a-forty-nine (1989-a-49) as amended by section seven (7) chapter eighty-seven (87) laws of the thirty-fourth general assembly.

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

SECTION 1. Pumping station—petition for management by trustees. That in all drainage districts heretofore established or which may be hereafter established under the laws of the state of Iowa, having and operating a pumping station, upon the completion of the construction thereof, any three or