

## CHAPTER 116.

## LIABILITY OF BANK TO ITS DEPOSITOR FOR PAYMENT OF FORGED OR RAISED CHECKS.

S. F. 213.

AN ACT fixing the liability of a bank to its depositor for payment of forged or raised checks. [Additional to chapter twelve (12) of title nine (IX) of the code, relating to banks.]

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

**SECTION 1. Depositor to notify bank—time limitation.** No bank shall be liable to a depositor for the payment by it of a forged or raised check unless within six months after the return to the depositor of the voucher of such payment, such depositor shall notify the bank that the check so paid is forged or raised.

Approved April 5, A. D. 1909.

## CHAPTER 117.

## LEVEES, DITCHES, DRAINS AND WATER COURSES; CONSTRUCTION ACROSS THE LAND OF OTHERS.

H. F. 549.

AN ACT to repeal sections nineteen hundred fifty-five (1955) and nineteen hundred fifty-six (1956) of the code and to enact substitutes therefor, and to amend section nineteen hundred fifty-nine (1959) of the code, all relating to the construction of levees, ditches or drains by owners of lands for agricultural, sanitary or mining purposes across the lands of others and providing for the condemnation of such lands as may be necessary for the construction and maintenance of such levees, ditches or drains.

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

**SECTION 1. Repeal—drainage across lands of others—application—notice—claims for damages.** Section nineteen hundred fifty-five (1955) of the code is hereby repealed and the following substituted therefor:

“Whenever the owner of any land shall desire to construct any levee, open ditch, tile or other under-ground drain, for agricultural, sanitary or mining purposes or for the purpose of securing more complete drainage or a better outlet, across the lands of others, or across or through the right-of-way and road bed of a railroad, and shall be unable to agree with the owner of any such lands, or with any such railroad company, through whose land or property he desires to construct the same, with regard to the location or manner of constructing any such ditch, drain or levee, or with regard to the compensation to be made, or with regard to any other matter properly connected therewith, he may file with the township clerk of the township in which any such land or right-of-way is situated, an application in writing, setting forth a description of the land or other property through which he is desirous of constructing any such levee, ditch or drain, the starting point, route, terminus, character, size and depth thereof. Upon the filing of any such application, the clerk shall forthwith fix a time and place for hearing thereon before the township trustees of his township, which hearing shall be not more than ninety (90) days nor less than thirty (30) days from the time of the filing of such application and thereupon the township clerk shall cause notice in writing to be served upon the owner of each tract of land across which any such levee, ditch or drain is proposed to be located, as shown by the transfer books in the office of the county auditor, and also upon the person in actual occupancy