

and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 16, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 19, A. D. 1909.

W. C. HAYWARD,
Secretary of State.

CHAPTER 119.

LEVEES, DITCHES, DRAINS AND WATER COURSES; PROCEEDINGS AFTER DECISION UPON APPEAL.

S. F. 429.

AN ACT to amend the law as it appears in section nineteen hundred eighty-nine-a fourteen (1989-a14) of the supplement to the code, 1907, relating to proceedings after decision upon appeal.

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

SECTION 1. **Order of establishment rescinded—board to proceed anew.** That the law as it appears in section nineteen hundred eighty-nine-a fourteen (1989-a 14) of the supplement to the code, 1907, be amended by adding thereto the following:

“In any case where the decree is or has been entered setting aside the establishment of a drainage district for errors in the proceedings taken, and such decree becomes final, the board of supervisors shall rescind its order establishing the drainage district, assessing benefits, and levying the tax based thereon, and shall also cancel any contract made for construction work or material, and may refund any or all assessments paid in. The board shall fix a new date for hearing, giving notice thereof by publication for two weeks and at the time so fixed, enter its order as to the establishment of the proposed district, and thereafter proceed as by law provided.”

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

Approved April 16, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 20, A. D. 1909.

W. C. HAYWARD,
Secretary of State.

CHAPTER 120.

DRAINAGE BONDS.

S. F. 383.

AN ACT to amend the law as it appears in section nineteen hundred and eighty nine-a twenty-seven (1989-a27) of the supplement to the code, 1907, relating to drainage bonds, providing for additional levy of tax and sale of bonds in certain contingencies.

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

SECTION 1. **Drainage bonds.** The law as it appears in section nineteen hundred and eighty-nine-a twenty-seven (1989-a 27) of the supplement to the code, 1907, is hereby amended by inserting after the comma following the word “estimate” and before the word “a” in the fourteenth line the words “ or should the proceeds of the tax when collected be insufficient to pay the

principal and interest of bonds sold"; and by inserting after the comma following the word "manner" and before the word "but" in the fifteenth line, the words "to meet such excess of cost or shortage in the proceeds of tax".

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 Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 15, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 17, A. D. 1909.

W. C. HAYWARD,
Secretary of State.

CHAPTER 121.

ADDITIONAL HELP FOR COUNTY AUDITORS IN LEVEE OR DRAINAGE DISTRICTS; DRAINAGE RECORD.

H. F. 417.

AN ACT to repeal section one thousand nine hundred eighty-nine-a forty-two (1989-a42) to the supplement of the code, 1907, relative to the duties of the county auditor—and to the employment of additional help for county auditors in levee or drainage districts—and to the drainage record, and the enactment of a substitute therefor.

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

SECTION 1. Repeal—additional help for the county auditor—drainage record. That section one thousand nine hundred eighty-nine-a forty-two (section 1989-a 42) of the supplement to the code, 1907, is hereby repealed and the following enacted in lieu thereof:

"Whenever a levee or drainage district or districts shall be petitioned for or established in any county, the board of supervisors shall furnish such additional help, as shall be just and reasonable, to be paid by the county; and the county auditor shall be the custodian of all papers and records pertaining to the levee or drainage matter in his county and shall keep the book known as the 'drainage record' and shall record therein all of the proceedings of the board of supervisors pertaining to the subject of levees or drainage, as well as the papers required to be filed by the county auditor in such proceedings."

Approved April 6, A. D. 1909.

CHAPTER 122.

LEVEES, DITCHES, DRAINS AND WATER COURSES; ACQUISITION OF LAND FOR OUTLET PURPOSES.

S. F. 157.

AN ACT additional to chapter two-a (2-a), title ten (X) of the supplement to the code, 1907, relating to levees, ditches, drains and water courses, and providing for the acquirement of land by condemnation proceedings outside of a drainage district or county for purpose of securing proper outlet.

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

SECTION 1. Acquisition of land for outlet purposes—condemnation proceedings. In any case where the necessary outlet of any proposed drainage district is beyond the limits of the county wherein such district is projected, and in the judgment of the board of supervisors, expense will be saved such district by avoiding joint proceedings with such adjoining county and by proceeding as hereinafter authorized or whenever after establishment of any district it is