

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one thousand nine hundred eighty-nine-a forty-two (section 1989-a 42) of the supplement to the code, 1907, is hereby repealed and the following enacted in lieu thereof: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

found necessary to extend the main ditch beyond the limits of such district as established, in order to secure proper outlet therefor, the board of supervisors shall have power to so extend such outlet and to use the general funds of the district for such purposes; and generally such board of supervisors shall have full power to treat with and to make fair and equitable agreements with any land owner, any other drainage district, ditching organization, corporation or association, within this state, whether the same may be acting under this or any other law, touching any work in which such district may be interested, or which may facilitate the flow of the waters from the lands within such district or the flow of waters from the lands lying above said district, through the ditches of such district. Where such drainage district shall find it necessary to acquire real estate for such outlet purposes the board of supervisors may proceed in the county where said real estate is located to condemn the same under the provisions of title ten (10) chapter four (4) of the code, and the amendments thereto, relating to the taking of private property for works of internal improvement.

Approved April 13, A. D. 1909.

CHAPTER 123.

WAYS TO LANDS WHICH HAVE NO OTHER MEANS OF ACCESS.

H. F. 433.

AN ACT to amend section two thousand twenty-eight (2028) as it appears in the supplement to the code, 1907, relating to ways to lands which have no other means of access.

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

SECTION 1. Where located. That section two thousand twenty-eight (2028) as the same appears in the supplement to the code, 1907, be and the same is hereby amended by inserting a comma after the word "division" in line five and after it the words "subdivision or forty".

Approved April 6, A. D. 1909.

CHAPTER 124.

LIABILITY OF CORPORATIONS OPERATING A RAILWAY FOR NEGLIGENCE OR WRONGS OF EMPLOYES.

S. F. 4.

AN ACT to amend the law as it appears in section twenty hundred and seventy-one (2071) of the supplement to the code, 1907, relating to the liability of corporations operating a railway for negligence or wrongs of employees.

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

SECTION 1. Contributory negligence. That the law as it appears in section twenty hundred and seventy-one (2071) of the supplement to the code, 1907, be amended by adding after the period at the end of said section the following:

"That in all actions hereafter brought against any such corporation to recover damages for the personal injury or death of any employe under or by virtue of any of the provisions of this section, the fact that the employe may have been guilty of contributory negligence shall not bar a recovery, but the damages shall be diminished by the jury in proportion to the amount of