

1 SEC. 2. The cost of membership fees and dues shall be assessed  
2 against the land in the drainage district and collected in the same  
3 manner and in the same ratio as assessments for the cost and main-  
4 tenance of the drainage district.

1 SEC. 3. This act being deemed of immediate importance shall be in  
2 full force and effect from and after its publication in The Oakville  
3 Sentinel, a newspaper published in Oakville, Iowa, and the Pocahontas  
4 Democrat, a newspaper published in Pocahontas, Iowa, without ex-  
5 pense to the state.

House File No. 543. Approved April 23, A. D. 1929.

I hereby certify that the foregoing act was published in the Oakville Sentinel May 2,  
1929, and the Pocahontas Democrat May 9, 1929.

ED. M. SMITH, *Secretary of State.*

## CHAPTER 208

### REFUND OF EXCESS DRAINAGE ASSESSMENTS

AN ACT to repeal section seventy-four hundred eighty-nine (7489) of the code, 1927,  
and to enact a substitute therefor relating to the apportionment of the return of  
excess levy in proportion to the amount of assessment paid by the respective owners.

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

1 SECTION 1. The law as it appears in section seventy-four hundred  
2 eighty-nine (7489) of the code, 1927, be and the same is hereby re-  
3 pealed and the following enacted in lieu thereof:

4 In all cases where a drainage district has been constructed con-  
5 sisting of main ditches which are beneficial to the entire district, and  
6 also of laterals, and where the assessments have been made based  
7 upon the estimated cost of such main ditches and laterals, and it can  
8 be ascertained that the actual cost of constructing such main ditches  
9 and laterals was less than such estimated cost thereof and that there  
10 remains a surplus in the fund of such drainage district when all  
11 assessments have been paid in, then the board of supervisors or joint  
12 board of supervisors, or other officers having control of such drainage  
13 district shall be, and hereby are, authorized and directed to refund  
14 to such parties the respective proportional parts of such excess assess-  
15 ments or surplus made for such main ditches and laterals by the  
16 issue of warrants drawn upon the district fund.

17 When the assessments on a tract of land have been paid by the  
18 different equitable or legal owners thereof, the refund herein provided  
19 for shall be made to the several parties in proportion to the amounts  
20 paid by each, unless otherwise provided.

1 SEC. 2. Nothing contained herein shall affect pending litigation.

House File No. 371. Approved April 9, A. D. 1929.