

## CHAPTER 203

## APPEALS FROM ASSESSMENT OF DAMAGES

S. F. 144

AN ACT to amend section seventy-eight hundred thirty-nine (7839) of the 1935 code of Iowa, relating to appeals from the assessment of damages made by condemnation commissioners.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. That section seventy-eight hundred thirty-nine (7839)  
2 of the 1935 code of Iowa is hereby amended by adding thereto the  
3 following:  
4 "Such notice of appeal shall be served in the same manner as an  
5 original notice. In case of condemnation proceedings instituted by  
6 the state highway commission, when the owner appeals from the  
7 assessment made, such notice of appeal shall be served upon the attor-  
8 ney general, or the special assistant attorney general acting as counsel  
9 to said commission, or the chief engineer for said commission. When  
10 service of notice of appeal cannot be made as provided in this section,  
11 the district court of the county in which the real estate is situated, or  
12 a judge thereof, on application, shall direct what notice shall be suffi-  
13 cient".

Senate File 144. Approved April 15, 1937.

## CHAPTER 204

## LEVEES AND DRAINAGE DISTRICTS

S. F. 166

AN ACT to authorize levee and/or drainage districts to maintain actions to collect damages resulting from the construction of locks, dams and pools; to make settlements and adjustments of said damages, and to employ legal engineering counsel; and to become members of drainage associations.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Levee and/or drainage districts through their govern-  
2 ing bodies are authorized to maintain actions in law or equity for the  
3 purposes of preventing or recovering damages that may accrue to such  
4 districts on account of the impairment of their functions, or the in-  
5 crease in the cost of maintenance or operation of such districts, or on  
6 account of damages to property owned by such districts, resulting  
7 from the construction and/or operation of locks, dams and pools in  
8 the Mississippi or Missouri rivers; they may make settlements and ad-  
9 justments of such damages and written contracts with relation thereto,  
10 and receive any appropriations that may be made by the congress of  
11 the United States for the increased cost to drainage or levy districts  
12 and may agree to the construction and maintenance of present equip-  
13 ment and of new or remedial works, improvements and equipment as  
14 a part of such damages, or as a means of lessening the damages which  
15 will be suffered by the said districts. Said districts are further au-  
16 thorized to employ legal and engineering counsel for such purposes and  
17 to pay for the same out of the award of damages or out of the mainte-  
18 nance funds of the district.

1 SEC. 2. Said districts are authorized to become members of drain-  
2 age associations for their mutual protection and benefit, and may pay  
3 dues and membership fees therein out of the maintenance funds.

1 SEC. 3. This act, being deemed of immediate importance shall be  
2 in full force and effect from and after its publication in the Hawkeye-  
3 Gazette, a newspaper published at Burlington, Iowa, and the Muscatine  
4 Journal, a newspaper published at Muscatine, Iowa.

Senate File 166. Approved May 1, 1937.

I hereby certify that the foregoing act was published in the Hawkeye Gazette, Burlington, May 19, 1937, and the Muscatine Journal, May 19, 1937.

ROBERT E. O'BRIAN, *Secretary of State.*

## CHAPTER 205

### IOWA STATE COMMERCE COMMISSION

#### H. F. 133

AN ACT to change the name of the board of railroad commissioners to that of Iowa state commerce commission.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. The term "board of railroad commissioners", "rail-  
2 road commissioner", "railroad commissioners", "Iowa railroad com-  
3 mission", "state board of railroad commissioners", and "railroad  
4 commission" is hereby stricken from chapters sixteen (16), eighteen  
5 (18), thirty-five (35), fifty-four (54), two hundred thirty-eight (238),  
6 two hundred fifty-one (251), two hundred fifty-two-a one (252-a1),  
7 two hundred fifty-two-a two (252-a2), two hundred fifty-two-c one  
8 (252-c1), three hundred three (303), three hundred three-c one (303-  
9 c1), three hundred five (305), three hundred seven (307), three hun-  
10 dred sixty-eight (368), three hundred sixty-nine (369), three hundred  
11 seventy-one (371), three hundred seventy-two (372), three hundred  
12 seventy-three (373), three hundred seventy-six (376), three hundred  
13 seventy-eight (378), three hundred seventy-nine (379), three hundred  
14 eighty (380), three hundred eighty-three-f two (383-f2), and four  
15 hundred twenty-six (426), code of Iowa, 1935 and also from the acts  
16 of the 47th general assembly not inconsistent with this act, and from  
17 all other chapters where the same may appear in the code of Iowa,  
18 1935, and from the acts of the 47th general assembly, subsequent  
19 thereto, and the term "Iowa state commerce commission", or "Iowa  
20 state commerce commissioner", or "Iowa state commerce commis-  
21 sioners", as the case may be, is inserted in lieu thereof, and all pro-  
22 nouns in said chapters or acts which now refer to said words "board  
23 of railroad commissioners", "state board of railroad commissioners",  
24 etc., or to the word "board" are hereby coordinated with the change  
25 herein made and the code editor is hereby authorized to make said  
26 changes.

House File 133. Approved May 1, 1937.