

4 (56), and fifty-seven (57) and inserting in lieu thereof the following:
 5 "The district court shall act as an appellate court to review the
 6 decision of the state board to determine whether or not it has therein
 7 committed fraud or abused its discretion. The costs may be taxed
 8 to appellant where the appeal is affirmed or may be remitted."

1 SEC. 27. Amend Chapter two hundred sixty-six-F one (266-F1),
 2 Code, 1935, as amended by Chapter one hundred thirty-seven (137),
 3 Acts of the Forty-seventh General Assembly, by adding thereto as
 4 a new section, the following:

5 "The state board may cancel the certificate of any recipient who
 6 is found by the state board to be acting in agreement with the authori-
 7 ties of any county charged with the duty of providing for the support
 8 of the poor if it shall appear to the state board that such agreement
 9 is with the intent to shift or would have the effect of shifting the
 10 responsibility of any such county or to evade the provisions of sections
 11 fifty-two hundred ninety-six-f twenty-seven (5296-f27) and fifty-two
 12 hundred ninety-six-f twenty-nine (5296-f29), Code, 1935."

1 SEC. 28. **Constitutionality.** If any portion of this act shall be de-
 2 clared unconstitutional, such declaration shall not affect the validity
 3 of the remaining portions of the act but they shall remain in force as
 4 though such declaration had not been made.

1 SEC. 29. This act, being deemed of importance, shall be in full force
 2 and effect on July 1, 1939, after its passage and publication in the
 3 Hopkinton Leader, a newspaper published at Hopkinton, Iowa, and
 4 in the Earlville Review, a newspaper published at Earlville, Iowa.

Approved May 3, 1939.

I hereby certify that the foregoing act was published in the Hopkinton Leader, May
 11, 1939, and the Earlville Review, May 11, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 141

OLD AGE ASSISTANCE

S. F. 402

AN ACT to amend section five thousand two hundred ninety-six-f twenty (5296-f20),
 code, 1935, as amended by sections sixteen (16) and thirty-eight (38) of chapter
 one hundred thirty-seven (137), acts of the Forty-seventh General Assembly, relat-
 ing to old age assistance.

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

1 SECTION 1. Section five thousand two hundred ninety-six-f twenty
 2 (5296-f20), Code, 1935, as amended by sections sixteen (16) and
 3 thirty-eight (38) of Chapter one hundred thirty-seven (137), Acts of
 4 the Forty-seventh General Assembly, is amended by striking from
 5 lines seven (7) and eight (8) the words "and forward" and inserting
 6 in lieu thereof the word "his", and inserting after the word "check"
 7 in line eight (8) of said section the words "to be forwarded by the
 8 Division of Old Age Assistance."

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 The Muscatine Journal & News-Tribune, a newspaper published at
 4 Muscatine, Iowa, and the Wright County Monitor, a newspaper pub-
 5 lished at Clarion, Iowa.

Approved March 28, 1939.

I hereby certify that the foregoing act was published in The Muscatine Journal & News-Tribune, April 5, 1939, and the Wright County Monitor, April 6, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 142

OLD AGE ASSISTANCE

H. F. 235

AN ACT to repeal section fifty-two hundred ninety-six-f twenty-five (5296-f25), code, 1935, as amended by chapter one hundred thirty-seven (137), acts of the Forty-seventh General Assembly, and to enact a substitute therefor, relating to funeral expenses for persons receiving old age assistance.

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

1 SECTION 1. Section fifty-two hundred ninety-six-f twenty-five
 2 (5296-f25), Code, 1935, as amended by chapter one hundred thirty-
 3 seven (137), Acts of the Forty-seventh General Assembly, is hereby
 4 repealed and the following is enacted in lieu thereof:

5 "On the death of any person to whom a certificate of old age assist-
 6 ance has been issued and has not been cancelled, such reasonable
 7 funeral expenses shall be paid from the old age assistance fund to such
 8 person as the county board directs, in an amount of not to exceed
 9 one hundred dollars (\$100); provided:

10 1. That the total expense of such funeral does not exceed two hun-
 11 dred dollars (\$200).

12 2. That the decedent does not leave an estate which may be pro-
 13 bated, subject to the provisions of section fifty-two hundred ninety-
 14 six-f fifteen (5296-f15), Code, 1935, as amended by section twelve
 15 (12), chapter one hundred thirty-seven (137), acts of the Forty-sev-
 16 enth General Assembly, with sufficient proceeds to allow a funeral
 17 claim of at least two hundred dollars (\$200), as provided by section
 18 eleven thousand nine hundred sixty-nine (11,969), Code, 1935.

19 3. That no payment in an amount equal to two hundred dollars
 20 (\$200) is due the decedent's estate, spouse, children, father, mother,
 21 brother or sister, by reason of the liability of any life insurance or
 22 death or funeral benefit company, association, or society, to be made
 23 in the event of the death of such decedent who is a recipient of old
 24 age assistance.

25 4. That in the event the total funeral expenses for a recipient of
 26 old age assistance exceed the division's liability of one hundred dollars
 27 (\$100), as provided under one (1), two (2) and three (3) above, the
 28 additional expenses shall accrue only when made necessary by the
 29 transportation of the body for a distance of more than twenty miles
 30 from the place of death, when the purchase price of the burial lot