

[394] CHAPTER 235.

FENCE.

AN ACT to amend an act entitled an act concerning fence.

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

SECTION 1. When hogs & sheep are restrained. That in all counties in this state, where by a vote of the legal voters of such county, or by any act of the general assembly of this state, it has been or may be hereafter determined that hogs and sheep, or either of them, shall be prohibited from running at large, a fence made of three rails of good substantial material, or three boards not less than six inches wide, and three quarters of an inch thick, such rails or boards to be fastened in or to good substantial posts, not more than ten feet apart, where rails are used, and not more than eight feet apart, where boards are used, or any other fence, which in the opinion of the fence viewers shall be equivalent thereto, shall be declared a lawful fence: *provided*, that the lowest or bottom rail or board shall not be more than twenty nor less than sixteen inches from the ground, and that such fence shall be fifty four inches in height.

SEC. 2. County lines. In all cases where fences are built upon county lines, between counties in one of which hogs and sheep are prohibited from running at large, and the other in which they are not prohibited from running at large, such fence shall be built in the manner prescribed in the act to which this is amendatory: *provided*, that the owners of any hogs or sheep shall be liable for all damages sustained by any person in consequence of such hogs or sheep crossing such county lines by way of the highway.

SEC. 3. Trespassing animals. In all cases of damages committed by trespassing animals in any county wherein the above described fences are lawful, the same rights and liabilities shall attach as are now provided in like cases, or in cases of trespassing animals under the act to which this is amendatory: *provided*, that nothing in the foregoing provisions shall be so construed as to deprive drovers or other persons of their right to drive hogs, sheep, or other stock from one part of the state to another.

[395] **SEC. 3.** This act to take effect and be in force from and after its passage.

Approved January 29, 1857.

CHAPTER 236.

COUNTY SEAT.

AN ACT to locate the seat of justice in Chickasaw county.

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

SECTION 1. Commission'rs. That D. P. Wallen, of Bremer county; H. B. Hoyt and C. A. Newcomb, of Fayette county, be, and they are hereby appointed commissioners, to re-locate the seat of justice of Chickasaw county; said commissioners, or any two of them, shall meet at the house of Lorenzo Baily, in Chickasaw county, on the first Monday of March, 1857, or within