apply the proceeds, first, in the payment of the costs, second, in the payment of the service fee. Any surplus arising from sale shall be returned to the owner of the progeny.

SEC. 4. **The right to foreclose may be contested.** The right of the owner or keeper to foreclose, as well as the amount claimed to be due, may be contested by any one interested in so doing, and the proceeding may be transferred to the district court, for which purpose an injunction may issue, if necessary.

Approved April 8, A. D. 1909.

CHAPTER 136.

BOUNTY FOR KILLING OF GROUND HOGS.

H. F. 174.

AN ACT to provide for the payment of bounties for killing ground hogs. [Additional to section twenty-three hundred forty-eight (2348) of the code, relating to bounties.]

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

SECTION 1. **Amount of bounty.** The board of supervisors of any county may allow a bounty of twenty-five cents for each ground hog killed within the county to be paid out of the general county fund to the person killing the same, on the terms and conditions hereinafter provided.

SEC. 2. **Proofs required..** The person catching and killing any such animal shall remove and present to the officers, before whom he makes his proof, the head or scalp of each animal for which he claims the bounty, and the person claiming the bounty shall furnish written proof, under oath, that each animal for which he claims the bounty was caught and killed within the county against which he presents the claim for bounty, and the board of supervisors may require in addition to the above any other and further proof which it deems necessary and reasonable to show that each animal for which the bounty is claimed was caught and killed within the county against which the claim is presented.

SEC. 3. **To whom presented.** The scalp and other proofs required may be presented to the county auditor; and the board of supervisors of each county may appoint registrars or other officers in other parts of the county to whom scalps of the animal caught and other proofs of the killing may be presented.

Approved March 25, A. D. 1909.

CHAPTER 137.

BOUNTY FOR DESTRUCTION OF RATTLESNAKES.

S. F. 28.

AN ACT to provide for the payment of a bounty for the destruction of rattlesnakes. [Additional to section twenty-three hundred forty-eight (2348) of the code, relating to bounties.]

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

SECTION 1. **Amount of bounty.** That whenever in the judgment of the board of supervisors of any county in this state, the public health and welfare of the citizens of its county demands, there shall be paid from the general fund of the county a bounty of fifty cents for each rattlesnake caught and

killed within the county; provided, that the person entitled to such bounty shall make as hereinafter provided, proof of the capture and killing of said snake within thirty days after the same was killed.

SEC. 2. **Proofs required.** That the person catching and killing any rattlesnake shall cut off and present to the county auditor or other officer before whom he makes proof, at least two inches of the tail of the rattlesnake with the rattles still attached thereto, and shall make written affidavit that each and every rattlesnake for which he claims bounty was caught and killed within the county where he is claiming bounty.

SEC. 3. **To whom presented.** · That the tail with rattles attached, described in section two (2) hereof, with the proofs required, may be presented to the county auditor or to other officers in the county designated by the board of supervisors, who shall see that the rattles are detached and the piece of tail destroyed. The rattles may be returned to the claimant.

Approved February 26, A. D. 1909.

CHAPTER 138.

LAWFUL FENCE.

H. F. 71.

AN ACT to repeal section twenty-three hundred and sixty-seven (2367) of the code defining a lawful fence and to enact a substitute therefor.

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

SECTION 1. **Repeal—lawful fence defined.** Section twenty-three hundred and sixty-seven (2367) of the code of Iowa, is hereby repealed and the following substituted in lieu thereof:

"A lawful fence shall consist of three rails of good substantial material, or three boards not less than six (6) inches wide and three-quarters (¾) of an inch thick, such rails or boards to be fastened in or to good substantial posts, not more than ten (10) feet apart where rails are used, and not more than eight (8) feet apart where boards are used, or wire either wholly or in part, substantially built and kept in good repair; or any other kind of fence, which, in the opinion of the fence viewers, shall be equivalent thereto, the lowest or bottom rail, wire or board not more than twenty (20) nor less than sixteen (16) inches from the ground, the top rail, wire or board, to be between forty-eight (48) and fifty-four (54) inches in height, and the center rail, wire or board not less than twelve (12) nor more than eighteen (18) inches above the bottom rail, wire or board; or it shall consist of three (3) wires, barbed with not less than thirty-six (36) iron barbs of two (2) points each, or twenty-six (26) iron barbs of four (4) points each, on each rod of wire, or of four (4) wires, two (2) thus barbed and two (2) smooth. the wires to be firmly fastened to posts not more than two (2) rods apart, with not less than two (2) stays between posts, or with posts not more than one (1) rod apart, without such stays, the top wire to be not more than fifty-four (54) nor less than forty-eight (48) inches in height. Provided, however, that all partition fences may be made tight by the party desiring it, and, when his portion is so completed, and securely fastened to good substantial posts, set firmly in the ground, not more than twenty (20) feet apart, the adjoining property owner shall construct his portion of the adjoining fence, in a like tight manner, same to be securely fastened to good substantial posts, set firmly in the ground not more than twenty (20) feet apart. All tight partition fences shall consist of