

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 **Repeal—lawful fence defined.** Section twenty-three hundred and sixty-seven (2367) of the code of Iowa, is hereby repealed and the following substituted in lieu thereof: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 ($\frac{3}{4}$) 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

not less than twenty-four (24) inches of substantial woven wire on the bottom, with three (3) strands of barb wire with not less than thirty-six (36) barbs of two points to the rod on top, the top wire to be not less than forty-eight (48) inches, nor more than fifty-four (54) inches high, or not less than eighteen (18) inch. substantial woven wire on the bottom with four (4) strands of barb wire of not less than thirty-six (36) barbs of two (2) points to the rod, the top wire to be not less than forty-eight (48) inches nor more than fifty-four (54) inches high, or good substantial woven wire not less than forty-eight (48) inches nor more than fifty-four (54) inches high. In case adjoining owners or occupants of land shall use the same for pasturing sheep or swine, each shall keep his share of the partition fence in such condition as shall restrain such sheep or swine. Upon the application of either owner, after notice given as prescribed in this chapter, the fence viewers shall determine all controversies arising under this section, including the partition fences made sheep and swine tight."

Approved April 1, A. D. 1909.

CHAPTER 139.

SALE OF INTOXICATING LIQUORS BY PERMIT HOLDERS.

S. F. 59.

AN ACT to amend section two thousand three hundred ninety-four (2394) of the code, relating to the sale of intoxicating liquors by permit holders.

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

SECTION 1. Request blanks—form. That section two thousand three hundred and ninety-four (2394) of the code be and the same is hereby amended by inserting therein after the first word "request" in the tenth line thereof, the following:

"The blanks for such request shall, with proper stubs, in all cases, be printed in book form and shall be furnished to the permit holder by the county auditor of the county in which such permit is in force, and shall contain, in addition to the matter provided for in said section, the fac simile signature of the county auditor; and both the stub and the request shall be numbered consecutively. Such blank requests with stubs, shall be furnished the permit holder applying therefor upon payment by him to the county auditor of the actual cost of printing the same. The permit holder shall require each applicant for liquor to fill out in his or her handwriting, requests for same in ink, and shall fill out the corresponding stubs in ink. The line between the request and its corresponding stub shall be perforated. The permit holder shall be required to preserve the stubs in book form and shall keep them at all times subject to the inspection of the commissioners of pharmacy, the county attorney, any grand juror, sheriff or justice of the peace in the county in which such permit is in force. The blank form of request and stub shall be as follows: