

A BILL

FOR AN ACT TO PROVIDE FOR AND REQUIRE THE TRIMMING OF CERTAIN
HEDGE FENCES.

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

SECTION 1. That prior to the first day of October, 1886, all hedge fences along any public highway shall be trimmed so as not to exceed five feet in height, and shall thereafter be kept so trimmed as not to exceed the height of five feet on the first day of October in each year.

SEC. 2. That prior to the first day of April, 1887, all hedge fences which constitute a partition fence between the land of the owner of such fence and the next adjoining enclosure, unless otherwise agreed by the land-owners interested, shall be trimmed so as not to exceed five feet in height, and shall thereafter be kept so trimmed as not to exceed the height of five feet on the first day of April in each year, unless otherwise agreed by the land-owners interested therein.

SEC. 3. In case the owner of any hedge fence along any public highway shall fail to comply with the provisions of section one of this act, then it shall be the duty of the supervisor of the road district in which such highway is located having such hedge fence along it, to proceed at once to trim such hedge fence in the manner provided in section one of this act, and on or before the first day of November following to make an itemized return under oath of the reasonable expenses incurred therein, to the auditor of the county wherein the land is located on which such hedge fence shall be situated, and the Board of Supervisors of such county shall order a warrant to be issued on the county fund in favor of such supervisor for the expenses *found* to have been incurred by him in trimming such hedge, and shall thereupon add a penalty of twenty per cent to such amount and levy the amount of such expense, together with such penalty, as a tax against the land of the owner of such hedge, and on or along which the same may stand. Said tax shall be collected under the same penalties and in the same manner as other taxes, and when collected shall go into the county fund.

SEC. 4. In case the owner of any hedge fence which constitutes a partition fence, as contemplated in section two of this act, fails to comply with the provisions of said section, then the owner of the adjoining enclosure to the land of the owner of such fence may proceed to trim such hedge in the manner provided in section two of this act, and shall make an itemized report under oath of the expense incurred therein (after obtaining the approval

6 thereon of a majority of the trustees of the township in which such hedge fence is located)
7 to the auditor of the county in which such hedge fence shall be located, which sum to-
8 gether with a penalty of twenty per cent on the same shall be levied by the board of super-
9 visors of such county at their next session, as a tax against the land of the owner of such
10 hedge, and along which it serves as a partition fence; and the same shall be collected under
11 the same penalties and in the same manner as other taxes, and when collected paid over to
12 the owner of such adjoining enclosure doing the trimming aforesaid, except the sum of five
13 per cent thereof, which shall be retained as a part of the county fund in such county.

SEC. 5. No provision of this act shall be construed so as to require thereunder the trim-
2 ming of a hedge fence wherever located, the object and purpose of which shall be to give
3 protection to a residence lot, stock lot, or orchard.