The questions to be determined are: partition of the fence between the Land lying North and South of said 120 rods.

After taking into consideration all facts and evidence available, and making an examination of the grounds in question, it is hereby decided and ordered:

That complainant, viz: William Heldenbrand shall maintain the east 40 rods of said fence as a lawful fence

That those complained of, viz: E. M. Pomeroy shall maintain the West 80 rods of said fence as a lawful fence

Provisions of above order to be complied with on or before September 16, 1961.

Unless the foregoing order is complied with within thirty days from the time fixed, the necessary work will be done, its value fixed by the undersigned fenceviewers, which, together with costs, will be taxed in accordance with provisions of Section 113.6, Code of Iowa.

Signed this 16 day of August, 1961.

Attest:
Otto Wishmier
Township Clerk.

J. Floyd Riegle
M. F. Cushing
Carold Rinard
(Twp. Trustees - Ex-officio Fenceviewers)

COMPARED

Grant J. ~~Martens,~~ #1630 Filed for record the 17 day of
Madison Twp. Clerk May A. D. 1962 at 3:30 P.M.
To Fee $1.50
Josephine McKee, David F.L. Mary E. Welty, Recorder
McKee and Eber Duff

IN THE OFFICE OF THE TOWNSHIP TRUSTEES OF
MADISON TOWNSHIP, MADISON COUNTY, IOWA

IN THE OFFICE OF :
GRANT J. MARTENS, : RE: JOSEPHINE MCKEE &
TOWNSHIP CLERK, TOWNSHIP TRUSTEES, : DAVID MCKEE AND EBER DUFF
MADISON COUNTY, IOWA. :

This is to certify that in connection with the partition fence proceedings as filed of record in the office of the County Recorder of Madison County, Iowa in fence Record One on Page 90, filed April 21, 1954, in the above matter, that the total cost of $394.78 was paid in full on April 12, 1957 as is more fully shown by my records.

COMPARED

Grant J. Martens
Grant J. Martens, Township Clerk
Madison Township, Madison County, Iowa.

Monroe Twp Clerk #2954 Filed for record the 9 day of Oct.
To A. D. 1962 at 9:30 o'clock A. M.
Fee $4.50
Clark B. Dowler et al F.L. Mary E. Welty, Recorder

CERTIFIED COPY OF PARTITION FENCE PROCEEDINGS

CONTROVERSY BETWEEN
Clark B. Dowler
and
Dean Silverthorn, Mrs. Dean Silverthorn, Bert Cousins, and Ellis C. Smith

To be heard before the Township Trustees of Monroe Twp., Madison County, Iowa. Ex-officio Fenceviewers in and for said Township.

TO Clark B. Dowler, Dean Silverthorn, Mrs. Dean Silverthorn, Bert Cousins and Ellis C. Smith

You are hereby notified that the Township Trustees of above named township, acting in their capacity as Fence Viewers, will meet on the 3rd day of October, 1962, at 10:00 o'clock A. M., at the site of the partition fence described in the attached notice to hear and determine the following matter pertaining to partition fence: and assessment of damages as a result of the claim of Clark B. Dowler, which is set out more particularly in the attached Notice and made a part hereof. Unless you appear at said time and place, with any evidence you may have bearing upon the case, the matter will at that time be determined without reference to such evidence.

Signed this 22nd day of September, A.D. 1962.

Attest:
Harlan G. Denton
Twp. Clerk

s/ Donald E. Ham
s/ H. A. Bierma
s/ Harold Robinett

NOTICE

TO... DONALD HAM, R.F.D. #1, Winterset, Iowa; HAROLD ROBINETTE, R.F.D. #1, Winterset, Iowa; and H. A. BIERMA, R.F.D. #1, Winterset, Iowa, Trustees of Monore Township, Madison County, Iowa and HARLAN G. DENTON R.F.D. #2, Winterset, Iowa, Clerk of Monroe Township, Madison County, Iowa.

YOU AND EACH OF YOU ARE HEREBY NOTIFIED That, to the best of the knowledge and belief of the undersigned, on or before September 17th, 1962, one Hampshire Ram owned by Bert Cousins, which Ram had been pastured and kept on land leased by the said Bert Cousins, and owned by Dean Silverthorn, also known as D.D. Silverthorn, and/or Mrs. Dean Silverthorn and described as the Northeast Quarter of the Northeast Quarter (NE¼NE¼) of Section Five (5) Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa entered land owned by the undersigned situated in the West Half (W½) of Section Four (4) of said Township and to the best knowledge and belief said Ram entered the land of the undersigned through a partition line fence along the East side of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of said Section Five (5) and entered the land of the undersigned through the South Half (S½) of said partition line fence which part of said fence belongs to the owners of said

Section Five (5) whose duty it is to keep said fence in repair. That on or before the 17th day of September, 1962 one Polled Hereford Bull owned by Ellis C. Smith and being pastured on the same 40 acres being the Northeast Quarter of the Northeast Quarter (NE¼NE¼) of said Section Five (5) entered upon land of the undersigned in said Township and entered the said land through and across that part of the partition line fence above referred to belonging to Dean Silverthorn and/or Mrs. Dean Silverthorn whose duty it was to keep said partition line fence in repair.

YOU ARE FURTHER NOTIFIED that the undersigned on September 18th, 1962, gave written notice to Dean Silverthorn, Mrs. Dean Silverthorn and Bert Cousins that he had restrained said Ram and would restrain said Ram until the damages were paid and that on the 18th day of September, 1962 the undersigned gave written notice to Dean Silverthorn, Mrs. Dean Silverthorn, Bert Cousins and Ellis C. Smith that he had restrained and would continue to restrain one Polled Hereford Bull until the damages caused by said Bull had been paid. That the owners of said real estate and the owners of said livestock have failed to pay or offer to pay any damages caused by said livestock as set forth in the notice of restrain and that you are respectively asked to fix a time at which you will appear upon the premises where the livestock allegedly entered the land through the partition line fence and assess the damages and you are further requested to immediately fix a time for assessment of such damages and to view the said partition line fence and to notify the owners of said real estate and the owners of said animals accordingly.

Dated at Winterset, Iowa this 21st day of September, 1962.

s/ Clark B. Dowler Owner

RETURN OF SERVICE - Personal

STATE OF IOWA, MADISON COUNTY, SS.

The within Notice came into my hands on the 24th day of September, 1962 and I certify that I served the same on the defendants named below, by reading the same to - - or by offering to read the original to - - which he waived, and delivering to - - a true copy of the same at the time and place set opposite names:

Name of Persons	Month	Day	Year	Township	County	State
Dean Silverthorn	9	24	62	Monroe	Madison	Iowa
Mrs. Dean Silverthorn	9	24	62	Monroe	Madison	Iowa
Clark B. Dowler	9	24	62	Monroe	Madison	Iowa
Bert Cousins	9	24	62	Monroe	Madison	Iowa
Ellis C. Smith	9	24	62	Monroe	Madison	Iowa

FEES: Service $2.75
Copies $ - -
Mileage $2.25
Total $5.00

Rex Rouse Sheriff
of Madison County
By s/ L.E. Hooper
Deputy

ORDER OR DECISION - Fenceviewers Proceedings

Monroe Township
Madison County, State of Iowa:

On this 3rd day of October, 1962, pursuant to written notice, the Township Trustees of Monroe Township, in above named County and State, acting in the capacity of Fenceviewers, met at the hour of 10:00 o'clo A.M., at site of partition fence hereinafter mentioned to determine th controversy set out in said notice.

Location of said fence is along the East side of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Five (5), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P. M.

The questions to be determined are: (1) Division of fence as between Clark B. Dowler and Dean Silverthorn; (2) Damage allegedly caused by one Polled Hereford bull owned by Ellis C. Smith; (3) Damag allegedly caused by a Hampshire Ram owned by Bert Cousins

After taking into consideration all facts and evidence available, and making an examination of the grounds in question, it is hereby decided and ordered:

That complainant, viz: Clark B. Dowler shall maintain the north one-half of said partition fence in the manner hereinafter provided. That Dean Silverthorn, also known as D. D. Silverthorn, & Mrs. Dean Silverthorn, two of the persons complained of, shall maintain the South half of said partition fence. The whole of said fence shall be tight fence and consist of good substantial 32 inch woven wire and 3 strands of barb wire, not less than 48 inches or more than 54 inches high. Fence Viewers are unable to determine whether the Hampshire ram owned by Bert Cousins or the Polled Hereford bull owned by Ellis C. Smith bred any of Clark B. Dowlers animals and therefor make no assessment of damages on account thereof. Bert Cousins is ordered to pay Clark B. Dowler at the statutory rate of 25¢ per day Commencing September 17, 1962, and continuing until paid for keeping said ram and 50¢ only for distraining said ram. Ellis C. Smith is ordered to pay Clark B. Dowler at the statutory rate of 50¢ per day commencing on Sept. 17, 1962, until paid, for keeping said Polled Hereford bull and $1.00 only for distraining said bull. Fence Viewers make no determination as to the respective rights & liabilities as between Dean Silverthorn, Bert Cousins and Ellis C. Smith. Costs of these proceedings are taxed to Dean Silverthorn.

Provisions of above order to be complied with on or before October 19- -. Bond on appeal fixed at $500.

Unless the foregoing order is complied with within thirty days from the time fixed, the necessary work will be done, its value fixed by the undersigned fenceviewers, which, together with costs, will be taxed in accordance with provisions of Section 113.6, Code of Iowa.

Signed this 9th day of October, 1962.

Attest:
Harlan G. Denton
Township Clerk.

Donald E. Ham
H. A. Bierma
Harold Robinett
(Township Trustees
Ex-officio Fenceviewers)

It is hereby ordered that Dean Silverthorn of - -, shall pay all costs and expenses, as provided by Section 113.6 Code of Iowa, hereby fixed as follows:

Harland Denton, Clerk, 2 days	$ 8.00
L. E. Hooper, Dep. Sheriff, serving notices	$ 5.00
Donald Ham, 2 days	$ 8.00
H. A. Bierma, 2 days	$ 8.00
Harold Robinett, 1 day	$ 4.00
recording fees and mileage	7.00
Total	$40.00

If the above amount remains unpaid for a period of ten days from the date of this order, this body is required under Section 113.6 Code of Iowa, to certify the full amount due from party in default, to the County Autitor, to be collected as other taxes against abutting property described as follows: - - -

Signed this 9th day of October, 1962.

Attest:
Harlan G. Denton
Township Clerk

Donald E. Ham
H. A. Bierma
Harold Robinett
Twp. Trustees
(Ex-officio Fenceviewers)

CERTIFICATE OF TOWNSHIP CLERK

STATE OF IOWA, MADISON COUNTY, SS.

I, Harlan G. Denton, Twp., Clerk of Monroe Twp. Madison County, State of Iowa, do hereby certify that the within transcript is a full, true and complete copy of Partition Fence Proceedings as the same appears of record in the Township Clerk's record of said Township No. 74 on Page 74.

Signed October 9, 1962.

Harlan G. Denton Clerk
of above named Township.

STATE OF IOWA, MADISON COUNTY, SS.

I do hereby certify under the seal of my office that the signature

of the above named Township Clerk is genuine, and that Harlan G. Denton was at the time hereinabove named the duly qualified and acting Clerk of the above named Township.

Witness my hand and official seal, this 9th day of October, 1962.

Laura Garnett Deputy Clerk of Court.

(District Court Seal)

COMPARED

Jefferson Twp. Trustees To Rex Shambaugh et al

#3112 Fee $2.50

Filed for record the 23 day of Oct A. D. 1962 at 3:15 o'clock P. M.

Mary E. Welty, Recorder

ORDER OF TRUSTEES ON DIVISION OF PARTITION FENCE BETWEEN REX SHAMBAUGH AND IDA CUTSHALL, ROBERT CUTSHALL AND VIRGINIA CROW

The Board of Trustees of Jefferson Township, Madison County, Iowa, having met on the premises hereinafter described to decide a fence controversy existing between the adjoining owners of said land on the 17 day of September, 1962, at 9 o'clock A. M., after having served notice on all parties concerned and after viewing the premises and hearing the statements of all parties, hereby make the following division of partition fence:

To Rex Shambaugh:

That part of the North-South partition fence located between the East Half (½) of the Southwest Quarter (¼) owned by Ida Cutshall, Robert Cutshall and Virginia Crow, and the West Half (½) of the Southwest Quarter (¼) owned by Rex Shambaugh, all located in Section Eleven (11), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, being identified as the South 40 rods of the South 80 rods and the South 40 rods of the North 80 rods of said North-South partition fence and that part of the East-West partition fence located between the Southwest Quarter (¼) of the Northwest Quarter (¼) and the Northwest Quarter (¼) of the Southwest Quarter (¼) of said Section Eleven (11) described as commencing at a point 631 feet West of the east end of said partition fence and running thence West for a distance of 250 feet.

To Robert Cutshall, et al

That part of the North-South partition fence referred to above, more particularly described as the North 40 rods of the South 80 rods and the North 40 rods of the North 80 rods of said North-South partition fence, and that part of the East-West partition fence referred to above described as commencing at the East end thereof and running thence West for a distance of 631 feet and in addition commencing at the West end of said East-West partition fence and running East for a distance of 447 feet.

It is further ordered that each of the owners shall erect and maintain their part of the partition fences referred to as tight fences under the provisions of Chapter 113 of the Code of Iowa.

The costs of these proceedings in the total sum of $18.50 are hereby