

**14-54-1101. Livestock running at large.**

(a) Cities of the first and second class and incorporated towns are empowered to prevent the running at large within their corporate limits of cattle, horses, mules, asses, swine, sheep, goats, and other animals of the kind. These cities and towns are authorized and empowered to restrain and impound any such animals so found running at large within their corporate limits, in violation of any ordinance passed by the cities and towns in conformity with this section.

(b)(1)(A) Whenever any person or officer of any city or incorporated town in this state under the law of this state, or under an ordinance of any city or incorporated town, shall take charge of any horse, cow, ass, sheep, goat, or hog for the purpose of impounding it, the persons so impounding the stock found to be running at large in the city or town shall at once notify the owner of the animal, if known to the person or officer, that the animal has been taken possession of.

(B) If the owner of the animal shall, within twenty-four (24) hours after being notified, appear and claim his stock, it shall be delivered to the owner.

(2)(A) If the owner of the stock is unknown to the person or officer taking up or impounding, then that person or officer shall post written notices in at least three (3) public places in the incorporated towns, and by notice in some newspaper in cities of the first and second class. This notice shall give a description of the animal, set out therein the marks, brands, and flesh marks of the animals so impounded, and call upon the owner of the animal to prove his ownership or interest therein to such person or officer having it in his possession or custody, within ten (10) days after the publication of the notice.

(B) Upon proof being made to the satisfaction of the person or officer and the payment of actual expenses incurred in the taking care of the animal, the person or officer having it in his possession shall at once deliver the animal to the owner.

(c) If the pound master, his agent or employee, or any employee of any city shall drive or entice any of the stock enumerated in this section from outside the city into the city, he shall be deemed guilty of a misdemeanor. Upon conviction, he shall be fined in any sum not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00).

**History.** Acts 1895, No. 137, § 1, p. 201; 1899, No. 122, §§ 1, 2, p. 198; 1901, No. 172, § 1, p. 325; C. & M. Dig., §§ 7551-7553; Acts 1921, No. 299, § 1; Pope's Dig., §§ 9625-9627; A.S.A. 1947, §§ 19-2503 - 19-2505.