

2-38-106.Posting description of animal.

(a)Upon failure to find any record of the mark or brand of the animal taken up or when the person in whose name the mark or brand is found recorded proves not to be the owner of the animal, the taker-up or impounder of the animal shall put or cause to be put up posters in three (3) of the most public places in the township or neighborhood where the animal is taken up, giving a full detailed description of the animal, stating the marks, age, color, and value of the animal. At the same time, the taker-up or impounder shall deliver to the clerk of the county court a copy of the poster, and the clerk shall at once enter a full copy of the poster in a book to be kept by him or her for that purpose and shall set up the poster upon the courthouse door.

(b)If, at the expiration of ten (10) days from the date of the poster, the animal has not been proved away, it shall be the duty of the impounder to give notice to the nearest justice of the peace of the county of the taking up of the animal. The impounder shall, at the time of giving notice, file with the justice of the peace the certificate of the clerk of the county court of the examination of the record of marks and brands if the animal taken up is marked or branded.

(c)If the animal should be proved away as provided in this section, it shall be the duty of the person proving away the animal to pay a reasonable charge for feeding and advertising the animal if the animal has not been used by the person taking it up. In this case no charge shall be made for feeding and advertising.

3, p. 298; C. History.Acts 1883, No. 121, § & 78-1106. 287, 288; A.S.A. 1947, § 273, 274; Pope's Dig., §§ M. Dig., §§