

**ix County Journal.**  
 ESTABLISHED 1858.  
 SPECIAL COUNTY PAPER.  
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 Editor: The Harrison post office as center.

**Stray Laws.**  
 It shall be lawful for any person owning land in this state, by bond, or lease, for one or more years, and being in possession thereof, to take up an estray horse, mule, or cow, sheep, or swine, found on enclosed premises at any season; and any estray found on premises of any lessee or freeholder, between the twentieth day of April, and the first day of April, may be taken up by such lessee or freeholder; or horse, mule, or ass, with any harness attached to them, and with yoke, that are believed to have strayed away from their owners, may be taken up by any person at any season.

It shall be the duty of any person taking up an estray animal or animal, to give a description of the same to the peace in the precinct where said estray was taken up, and to keep the same for eight days thereafter, and to give a receipt for the same to the person taking up the same. The person taking up the same shall immediately record the same in a book kept by him for that purpose, which he shall receive the sum of five cents. If said estray or animal is not claimed by the owner within ten days thereafter, a description of the same shall be sent to the clerk of the court by the party taking up the same, and shall immediately record the same in a book kept by him for that purpose, which he shall receive the sum of five cents. The person taking up the same shall, within twenty days thereafter, procure the publication of the same in a newspaper published within the county, and shall therefor receive the sum of three dollars; and if two or more estrays of the same species shall be taken up by the same person at the same time, they shall be included in the same publication; and in such case the aforesaid publisher shall receive no more than for one such publication, except where the number so published shall exceed three, he shall receive one dollar for each such publication beyond that number included in such publication.

The owner of an estray may, at any time previous to its sale, reclaim the same on proving said property, by giving notice to the person taking up the same, and paying for the same, and a reasonable compensation for any other necessary expenses incurred by the person taking up said estray.

In case the parties cannot agree upon the amount of the expenses incurred, they may each choose a disinterested person to act as arbitrators, and two chosen may choose a third. The decision of the arbitrators shall be final. When an estray, if it be a horse, mule, or cow, under the age of one year, has not been reclaimed within thirty days after the advertising thereof, it shall become the property of the person taking it up, without further proceedings. If the estray be a horse, mule, or cow, over the age of one year, it must be reclaimed within six months from the time it was advertised. If the estray is an animal under the age of one year, and not reclaimed within two years, it must be reclaimed within six months from the time it was first advertised. If any estray included in the two last named classes is not reclaimed within the time respectively, the person taking up the same shall notify a justice of the peace in the county wherein said estray was taken up, who shall appoint two disinterested persons, and administer an oath or affirmation to faithfully appraise said estray, and said appraisers shall appraise said property on actual view of said property, and shall make due return thereof, in writing, to said justice of the peace, who shall appoint a day of sale, and the time and place of the same, and shall publish at least five weeks before the day of sale, in a newspaper published in said county, and by the person taking up the same, notices in writing, in places in the precinct where the same is to be sold; and in case there is no newspaper printed in said county, he may cause three additional written or printed notices to be posted up at the county seat of said county, and on the day appointed for the sale of said estray, the same shall be sold by said justice to the highest bidder in cash; and a certificate thereof, after deducting the costs of the proceedings and the expenses of advertising said estray, shall be paid to the county treasurer within ten days after the day of sale, subject to the order of the owner, provided the owner of such estray shall establish his ownership to the satisfaction of the county clerk of said county, within one year after the day of sale; and if the balance of the same is claimed within the time by

specified, it shall be placed by said treasurer to the credit of the general school fund of said county.  
**SEC. 7.** The place of sale shall be at the residence of the person taking up the estray.  
**SEC. 8.** When an estray is sold, it must bring at least two-thirds of the appraised value. In case it does not, the animal shall be re-appraised, and again offered for sale one week after the day appointed for the first sale, and no advertisement shall be necessary for the second sale.  
**SEC. 9.** When the appraisers think the animal will not bring more than enough to defray the necessary expenses of the sale and advertisement thereof, said sale shall be dispensed with, and the person who took up the animal shall, on the payment of expenses, be the owner thereof.  
**SEC. 10.** The money received from the sale of an estray shall go into the county school fund, all expenses first being paid.  
**SEC. 11.** Any person violating section ten of this chapter shall be liable to a fine of not less than twenty dollars nor more than two hundred dollars.  
**SEC. 12.** The appraisers of estrays shall estimate the value of the labor, trouble and expense of the person in taking up and keeping any estray—taking into consideration the services rendered by the animal.  
**SEC. 13.** The appraisers of estrays shall receive fifty cents each for each appraisal, but when more than one animal is taken up at any one time by one person, they shall all be appraised as one, and the appraisers shall be entitled to compensation for but one appraisal. The justice of the peace shall receive for his services the sum of one dollar and fifty cents.  
**SEC. 14.** The advertisement, the appraisal, and the services of the justice of the peace shall be paid by the person taking up the estray, and he shall receive the same, with fifty per cent. additional, from the proceeds of the sale of the estray.  
**SEC. 15.** If any horse or mule not gelded, two years old or upwards, shall be found running at large, it shall be lawful for any person to take up such horse or mule, and forthwith give notice to the owner or keeper, if he be known to the taker-up, and if the owner or keeper do not appear within three days thereafter, and pay to the said taker-up two dollars as compensation for his trouble, the taker-up shall proceed to advertise said horse or mule, and the same proceeding shall be had in every respect as hereinbefore provided in cases of estray horses or mules; *Provided*, That the taker-up may, after the expiration of twenty days from the time of advertising, geld, or procure to be gelded, the said horse or mule, which shall be done at the risk and expense of the owner.  
**SEC. 16.** Should any animal taken up as an estray die while in possession of the person taking it up, he shall not be liable for the loss unless its death be the result of mistreatment or wilful neglect.

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