

TITLE 25
ANIMALS

CHAPTER 10
LIABILITIES OF STOCK RANCHERS

25-1001. STOCK RANCHER DEFINED. Every person who, for a consideration, takes horses or other stock to keep and take care of by the day, week, month or year, is deemed a stock rancher.

[(25-1001) 1872, p. 58, sec. 1; am. R.S., sec. 1230; reen. R.C. & C.L., sec. 1221; C.S., sec. 1914; I.C.A., sec. 24-901.]

25-1002. DUTIES AND LIABILITY. It is the duty of every stock rancher to use due diligence to prevent the death or loss of, or injury to, any animal in his charge as such rancher; and in case of death, loss or injury to such animal while in possession of a stock rancher, the owner thereof may recover, before any court of competent jurisdiction, the full amount of damages sustained, if it appears that such loss, death or injury was in consequence of the failure of the stock rancher to use due and reasonable diligence.

[(25-1002) 1872, p. 58, sec. 2; am. R.S., sec. 1231; reen. R.C. & C.L., sec. 1222; C.S., sec. 1915; I.C.A., sec. 24-902.]

25-1003. FORFEITURE OF FEES. Any stock rancher using any animal placed in his charge, by riding or working the same in any manner whatever, unless there is an express contract between himself and the owner thereof allowing such animal to be used, forfeits all claims or demands for ranch fees on such animal; and he is liable for any damages or injury to such animal by reason of such use.

[(25-1003) 1872, p. 58, sec. 3; am. R.S., sec. 1232; reen. R.C. & C.L., sec. 1223; C.S., sec. 1916; I.C.A., sec. 24-903.]

25-1004. STOCK RANCHER RANGING STOCK ON LANDS OF ANOTHER A MISDEMEANOR -- PRIMA FACIE EVIDENCE. It shall constitute a misdemeanor for any stock rancher, as defined in this act, having charge of horses or other stock to herd, move, drive, or range the same or permit or suffer them to be herded, moved, driven, or ranged on the land or possessory claims of another person. Proof that such stock rancher did herd, move, or range such stock on such land or possessory rights is prima facie evidence of guilt, unless the evidence produced on the trial shows that the accused acted diligently and in good faith and with an innocent purpose to prevent such trespassing.

[(25-1004) I.C.A., sec. 24-904, as added by 1941, ch. 61, sec. 1, p. 122.]