

259.120 Method of posting stray equines and stray cattle -- Fees.

Stray equines and stray cattle shall be taken up and posted in the following manner:

- (1) Stray equines shall be taken before a justice of the peace of the district, who shall administer to the taker-up an oath, in substance, that the equine was taken up by him as a stray and that he has not defaced or altered the marks or brands of the equine. Stray cattle shall be taken before a justice of the peace of the district, who shall administer to the taker-up an oath, in substance that the cattle were taken by him as strays on his premises within the preceding ten (10) days and that he has not defaced or altered the marks or brands of the cattle. The justice shall then value the stray equine or cattle himself and take a correct description of the flesh-marks, age and brands of the same, all of which, together with the name and residence of the taker-up, he shall record in a book to be kept by him for that purpose. He shall give to the taker-up a copy of the record and deliver to the county clerk a certified copy of the same record within thirty (30) days.
- (2) The clerk shall immediately record the stray certificate of the justice in a book to be kept by him for that purpose. His fee for this service shall be seventy-five cents (\$0.75) to be paid by the taker-up.
- (3) The taker-up shall cause to be posted a copy of the justice's certificate in the sheriff's office with jurisdiction over the area where the stray cattle or stray equine was taken up within one (1) month after he has posted the stray.
- (4) The taker-up shall be paid by the owner of the stray, if and when he claims the stray or its value, the fee paid the clerk and the actual costs incurred by the taker-up for keeping the stray equine or cattle. The taker-up may have the stray equine gelded, in which case the owner shall also pay the taker-up for the actual cost incurred for the gelding.

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History: Amended 2010 Ky. Acts ch. 92, sec. 3, effective July 15, 2010. -- Amended 1966 Ky. Acts ch. 239, sec. 178. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective November 1, 1942, from Ky. Stat. sec. 4657.