

TITLE 25  
ANIMALS

CHAPTER 13  
DRIVING FROM RANGE OR HERDING LIVESTOCK

25-1301. PENALTY FOR DRIVING LIVESTOCK FROM RANGE -- EVIDENCE WARRANTING CONVICTION. Any person, not the owner or entitled to the possession, who knowingly and willfully drives, rides, or leads, or assists to drive, ride or lead or transport by motor vehicle any head of livestock away from its usual range is guilty of a misdemeanor.

Proof that such person was driving, riding or leading or transporting by motor vehicle such livestock more than five (5) miles from its usual range is evidence sufficient to warrant a conviction, unless the evidence produced on the trial shows that the accused acted in good faith and with an innocent purpose.

[(25-1301) 1881, p. 295, sec. 13; am. R.S., sec. 1181; reen. R.C. & C.L., sec. 1241; am. 1919, ch. 176, sec. 1, p. 553; C.S., sec. 1934; I.C.A., sec. 24-1103; am. 1969, ch. 44, sec. 1, p. 122.]

25-1302. LIABILITY TO CIVIL ACTION -- ATTACHMENT OF DEFENDANT'S LIVESTOCK. Any person who, without the owner's consent, drives, rides, or leads or assists in driving, riding or leading any head of livestock, the property of another, away from its usual or accustomed range is liable in a civil action in a court of competent jurisdiction to the party injured for damages, including the costs of litigation. The party injured may, at the commencement of the action, or during the pendency thereof, have the livestock of the defendant, or such number thereof as are sufficient, attached, seized and held as security for all damages and costs that may be recovered in such action.

[(25-1302) 1881, p. 295, sec. 14; am. R.S., sec. 1182; reen. R.C. & C.L., sec. 1242; am. 1919, ch. 176, sec. 2, p. 553; C.S., sec. 1935; I.C.A., sec. 24-1104.]

25-1303. PREVENTION OF TRESPASS OF LIVESTOCK -- CRIMINAL AND CIVIL LIABILITY. Any person owning or having charge of any herd or drove of livestock, who drives or moves the same into or through any county in this state, in which the owner thereof is not a resident or landowner, and where the land is owned or is occupied and improved, must prevent such herd or drove from mixing with the livestock belonging in said county, and must also prevent such herd or drove from trespassing on land in the possession of any actual settler, and used by him for grazing purposes, or for the growing of grain, hay or other crops, or injuring any ditches owned or used by such settler. If any owner or person in charge of any such herd or drove of livestock wilfully or negligently injures any resident of this state by driving or moving such herd or drove of livestock from any public highway, and herding or grazing the same on land occupied and improved by any settler in possession of the same, he is guilty of a misdemeanor; and is also liable in a civil action to the party injured for the damages by him sustained.

[(25-1303) 1881, p. 295, sec. 15; am. R.S., sec. 1183; reen. R.C. & C.L., sec. 1243; C.S., sec. 1936; I.C.A., sec. 24-1105.]

25-1305. PENALTY FOR VIOLATIONS. Any person violating any of the provisions of this chapter is guilty of a misdemeanor.

[(25-1305) 1881, p. 295, sec. 17; am. R.S., sec. 1185; reen. R.C. & C.L., sec. 1245; C.S., sec. 1938; I.C.A., sec. 24-1107.]

CHAPTER 14  
IDAHO INSPECTION OF BRANDS -- [REPEALED]