

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 1487

4  
5 By: Representative S. Prater  
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## For An Act To Be Entitled

8  
9 AN ACT TO REPEAL OBSOLETE LAWS CONCERNING  
10 STALLIONS, MULES, AND JACKS; AND FOR OTHER  
11 PURPOSES.  
12

## Subtitle

13  
14 AN ACT TO REPEAL OBSOLETE LAWS  
15 CONCERNING STALLIONS, MULES, AND JACKS.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code Title 2, Chapter 38, Subchapter 2 is  
21 repealed.

22 ~~Subchapter 2. Stallions, Mules, and Jacks.~~  
23

24 ~~2-38-201. Penalty for running at large.~~

25 ~~(a)(1) If any seed horse or any unaltered mule or jack, over the age~~  
26 ~~of two (2) years, is found running at large, the owner shall be fined three~~  
27 ~~dollars (\$3.00) for the first offense and not exceeding ten dollars (\$10.00)~~  
28 ~~for every subsequent offense, to be recovered by civil action in the name of~~  
29 ~~any person who shall sue for the fine, one half (1/2) to his own use and the~~  
30 ~~other to the county's.~~

31 ~~(2) The action may be prosecuted before any justice of the peace~~  
32 ~~of the county where the offense is committed.~~

33 ~~(b) The owner shall also be liable for all damages that may be~~  
34 ~~sustained by the running at large of any seed horse, jack, or mule, to be~~  
35 ~~recovered by a civil action before any court having jurisdiction thereof.~~  
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~~2-38-202. Right of person taking up.~~

~~(a)(1) Any person may take up any seed horse, mule, or jack found running at large and, if not claimed within two (2) days, may castrate him.~~

~~(2) For this service, he shall be entitled to recover from the owner of any horse, mule, or jack, three dollars (\$3.00), which may be recovered in a civil action before any justice of the peace of the county.~~

~~(b) Castration shall be done in the usual manner, so that the life of the animal shall be endangered as little as possible.~~

~~2-38-203. Right to kill certain stock—Notice.~~

~~If any horse, mule, or jack is running at large and cannot be taken up, he may be killed, if notice is first put up at the courthouse and at three (3) other of the most public places in the county, for ten (10) days, describing the color, marks, and brands, as nearly as practicable, of the animal and that he will be killed unless taken away and secured.~~

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