

## CHAPTER 176.

## CRUELTY TO ANIMALS.

APRIL 16. AN ACT for the more Effectual Prevention of Cruelty to Animals.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa,* That whoever tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates, or cruelly kills, or causes, or procures, to be over-driven, tortured, tormented, deprived of necessary sustenance, cruelly beaten, mutilated, or cruelly killed, any animal; and whoever, having the charge or custody of any animal, either as owner or otherwise, inflicts unnecessary cruelty upon the same, or unnecessarily fails to provide the same with proper food, drink, shelter, or protection from the weather, shall for every such offense be punished by imprisonment in jail, not exceeding thirty days, or by fine not exceeding one hundred dollars, in the discretion of the court.

Cruel treatment of animals to be punished.

Penalty.

**SEC. 2.** Every owner, possessor, or person having the charge or custody of any animal, who cruelly drives or works the same when unfit for labor, or cruelly abandons the same, or who carries the same, or causes the same to be carried, in, or upon, any vehicle, or otherwise, in an unnecessarily cruel and inhuman manner, or knowingly and wilfully authorizes, or permits the same to be subjected to unnecessary torture, suffering, or cruelty of any kind, shall be punished for such offense in the manner provided in section one of this act.

Cruel driving or abandonment, same.

**SEC. 3.** No railroad company in this State, in the carrying or transportation of cattle, sheep, swine, or other animals, shall confine the same in cars for a longer period than twenty-eight consecutive hours, unless delayed by storm or other accidental cause without unloading for rest, water, and feeding, for a period of at least five consecutive hours. In estimating such confinement, the time the animals have been confined without such rest on connecting roads from which they are received, shall be computed, it being the intention of this act to prevent their continuous confinement beyond twenty-eight hours, except upon contingencies hereinbefore stated; and animals unloaded for rest, water, and feeding, under the provisions of this act, shall be properly fed, watered and sheltered, during such rest, by the owners or persons in

Railroad co's not to confine animals in transportation more than 28 hours.

Five hours' rest.

Animals unloaded for rest, to be cared for by the owner, or by co. at owner's expense

custody thereof, or, in case of their default in so doing, then by the railroad company transporting them, at the expense of said owners or persons in custody thereof, and said company shall have a lien upon such animals for food, care, and custody furnished, and shall not be liable for any detention of such animals authorized by this act. Any railroad company, owner, or custodian of such animals who shall fail to comply with the provisions of this section, shall for each and every such offense be liable for, and forfeit and pay a penalty of not less than one hundred and not greater than five hundred dollars: *Provided, however,* That when such animals shall be carried in cars in which they shall and do have proper food, water, space and opportunity for rest, the foregoing provisions, in regard to their being unloaded, shall not apply.

Co. to have lien.

Penalty for failure to comply.  
Proviso: proper care in cars.

SEC. 4. Any person may take charge of any animal whose owner has abandoned it, [or] who fails to properly take care and provide for it, and may furnish the same with proper shelter, nourishment, and care, at the owner's expense, and shall have a lien on such animal for the same, which lien at the expiration of three months shall become a perfect title to the property, as provided in chapter 102, laws of the Ninth General Assembly.

Person caring for abandoned animal to have lien on same, and title when.

1862: ch. 102.

SEC. 5. In this act the word "animal" or "animals" shall be held to include all brute creatures, and the word[s] "owner," "person," and "whoever," shall be held to include corporations as well as individuals, and the knowledge and acts of agents of, and persons employed by, corporations, in regard to animals transported, owned, or employed by, or in custody of such corporations, shall be held to be the acts and knowledge of such corporations.

Terms used in act defined.

SEC. 6. It shall be the duty of all sheriffs, deputy-sheriffs, constables, police-officers, and city marshals, to prosecute all violations of the provisions of this act which shall come to their notice or knowledge, and all fines and forfeitures collected under of this act shall be paid into the county treasury for the use of the school-fund where the offense for which the fine was imposed was committed.

Duties of sheriff's, constabl's, policemen, and city marshals.

SEC. 7. Any person who shall keep or use, or in any way be connected with, or interested in the management of, or shall receive money for the admission of any person to any place kept or used for the purpose of fighting or baiting any bull, bear, dog, cock, or other creature, and every person who shall encourage, aid, or assist therein, or who shall suffer or permit any place to be so kept or used, and any person who shall engage in, aid, abet,

Keeping cock-pits, etc.,

and causing fights between animals,

encourage or assist in any bull, bear, dog, cock-fight or a fight between any other creatures, shall, upon conviction thereof, be adjudged guilty of a misdemeanor.

a misdemeanor.

Animals impounded to be cared for; neglect thereof a misdemeanor.

SEC. 8. Any person who shall impound or confine, or cause to be impounded or confined, in any pound or other place, any creature, shall supply to the same, during such confinement, a sufficient quantity of food and water, and in default thereof shall, upon conviction, be adjudged guilty of a misdemeanor.

Any person may enter pound to feed animal neglected.

SEC. 9. In case any creature shall be at any time impounded as aforesaid, and shall continue to be without necessary food and water for more than twelve successive hours, it shall be lawful for any person, from time to time, and as often as it shall be necessary, to enter into and upon any pound, in which any such creature shall be so confined, and to supply it with necessary food and water so long as it shall remain so confined; such person shall not be liable to any action for such entry, and the reasonable cost of such food and water may be collected by him of the owner of such creature.

Destruction of animals diseased or unfit for further use.

SEC. 10. It shall be lawful for any sheriff, constable, police-officer, officer of any society for the prevention of cruelty to animals, or any magistrate, to destroy any horse or other animal having the disease called and known as the glanders, or any disabled creature unfit for further use.

Approved, April 16, 1870.

## CHAPTER 177.

### CANADA THISTLES.

APRIL 16. AN ACT to Destroy Canada Thistles.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That it shall be unlawful for any railway company, or other corporations, within this State to allow any Canada thistle to blossom or mature on any railway-line or depot-grounds, or any lands owned or occupied by such company or corporation.

RR. cos. etc., not to allow thistle to grow.

Road-supervisor, same.

SEC. 2. It shall be unlawful for any road-supervisor to allow any Canada thistles to blossom or mature on any road or highway under his jurisdiction.