

## ARTICLE 86.

### SHEEP AND DOGS.<sup>1</sup>

1. Owners of sheep may kill sheep-killing dogs. | 2-4. Sheep killed by dogs; remedies.

An. Code, sec. 1. 1904, sec. 1. 1888, sec. 1. 1876, ch. 315.

1. If any dog shall be detected in killing, injuring or pursuing any sheep, the owner of said sheep shall have full power and right to kill said dog, unless said dog shall first have escaped to its owner's premises.

An. Code, sec. 2. 1904, sec. 2. 1888, sec. 2. 1876, ch. 315. 1900, ch. 275.  
1910, ch. 287, sec. 2 (p. 296). 1912, ch. 832, sec. 2.

2. Any person whose sheep have been killed or injured by any dog may proceed against the owner, keeper or harbinger of such dog before any justice of the peace of this State having jurisdiction within the county where the killing or injury may have occurred, and such justice shall forthwith issue a summons for the owner, keeper or harbinger of such dog and for such witness as may be necessary to ascertain the amount of damages sustained by such killing or injuring and shall forthwith give judgment for such damages as may be ascertained, which shall be collected as other debts in this State are collected; and such justice shall also require the owner, keeper or harbinger of such dog to give bond, with good and sufficient security in the sum of not less than fifty dollars, that such dog shall not thereafter kill or injure any sheep; and upon failure of such owner, keeper or harbinger of such dog to give such security, then said justice of the peace shall require some one of the constables of the county to proceed forthwith to kill such dog; and said constable for such killing shall be allowed the sum of one dollar for each dog killed by him upon such order by the justice of the peace as aforesaid, to be taxed against the owner, keeper or harbinger of such dog as a part of the costs in such case; provided, that nothing in this article shall be construed to prevent the right of appeal as in other cases. *This and the preceding section not to apply to Caroline, Dorchester, Worcester, St. Mary's, Montgomery, Somerset and Carroll counties.*

An. Code, sec. 3. 1904, sec. 3. 1888, sec. 3. 1827, ch. 199. 1831, ch. 169.  
1910, ch. 287, sec. 3 (p. 297). 1912, ch. 832, sec. 3.

3. If any dog shall be detected in killing or injuring sheep, and proof thereof shall be made by the oath of the owner of said sheep, or any other person before a justice of the peace, the owner of said dog, upon com-

<sup>1</sup> See art. 81 secs. 206-212.