

Provided, however, that any such dog either known to be or suspected as a killer shall be allowed to remain in its owner's possession upon his posting a bond or surety acceptable to the Board of the justice of the peace in the sum of Two Hundred Dollars (\$200.00) as a guarantee to the County against any further claims filed as a consequence of damages caused or participated in by said dog.

256N. AUTHORITY FOR KILLING ATTACKING DOG. Any person may kill any licensed or unlicensed dog which suddenly assaults him while he is peaceably standing, moving or riding outside the enclosure of its owner or keeper, and any person may kill any dog found out of the enclosure of its owner or keeper and not under his immediate care actually in the act of worrying, wounding or killing persons, livestock or fowls.

A police officer, constable or Warden shall have authority to kill any licensed or unlicensed dog which a justice of the peace, or, upon review, the Circuit Court, shall have ordered to be restrained if such dog is again found outside of the enclosure of its owner or keeper and not under his immediate care, and has full authority to kill any dog that is known to be living in the country in a wild state.

There shall be no liability on such persons, police officer, constable or Warden in damages or otherwise for such killing.

256-O. NUISANCE OF VICIOUS, CHASING OR BARKING DOG. If any person shall make complaint in writing and swear to the same before a justice of the peace in his district that any dog owned or harbored within his jurisdiction is a nuisance by reason of vicious disposition as evidenced by chasing persons, draft animals, vehicles, or by such whining or barking as to constitute an annoyance to any sick person residing in the vicinity, such justice of the peace shall direct the Warden or a peace officer to investigate the complaint, including an examination of the complainant, and to report his findings to the said justice of the peace who thereupon may call the owner of the dog complained of before him for questioning and may make such order concerning the restraint of such dog as he may deem to be necessary. Any time within ten days after such order, the owner or keeper of such dog may bring a petition in the Circuit Court within the judicial district of which the dog is owned or kept, addressed to the justice of the court, praying that the order may be reviewed by the Court, and after such notice to the Warden or other officer involved as the Court may deem necessary, it shall review such action, hear the witnesses and affirm such order unless it shall appear that it was made without proper cause or in bad faith, in which case such order shall be reversed with costs against