

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 menace by reason of vicious disposition or a nuisance or hazard as evidenced by chasing persons, draft animals, vehicles or by such whining or barking as to constitute an annoyance to persons residing in the neighborhood, such justice of the peace shall direct the Warden, County Police Officer, or peace officer to investigate the complaint including an examination of the complaint 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 the complainant. The decision of the Court shall be final and conclusive upon the parties.

Any person owning or harboring such dog who shall fail to comply with any order of the justice of the peace or Circuit Court, as the case may be, shall be punished by a fine of not more than Ten Dollars (\$10.00) or by imprisonment for not more than thirty days or both. Provided, however, that this section shall not apply to dogs kept at a duly established and operated shelter or public pound.

256P. (Treble Damages and Authority to Kill Vicious Dog.) If a dog which the justice of the peace or, upon review, a Circuit Court shall have ordered to be restrained shall wound any person, or shall wound or kill any livestock or poultry, the owner or keeper of such dog shall be liable to tort to the person injured thereby in treble the amount of damages sustained by him; and it shall be the duty of any police officer or Warden finding such dog outside the enclosure of its