

20-19-102. Injuries to domesticated animals by dogs.

(a)(1) "Domesticated animals" includes, but is not limited to, sheep, goats, cattle, swine, and poultry.

(2) Any person owning or having in possession or under control any dog shall be liable in damages to the owner or owners of any domesticated animals killed or injured by the dog in the full value of the domesticated animal killed or injured.

(b)(1) Any person engaged in raising domesticated animals or owning any domesticated animals who shall sustain any loss or damages to his or their domesticated animals by any dog shall have a right of action against the owner, person, or controller of the dog.

(2) Any person knowing that any dog has killed or is about to catch, injure, or kill any domesticated animal shall have the right to kill the dog, without in any way being liable to the owner of the dog in any courts of this state.

(c) The person sustaining loss or damage as mentioned in this section and desiring remuneration therefor may go before some justice of the peace of the county wherein the loss or damage occurred and make oath of the character of the loss or damage sustained, the value of the loss or damage, the dog or dogs, and the owner, possessor, or controller of the dog and file the same with the justice, who shall issue a summons stating the nature of the plaintiff's claim, the amount claimed, and the cost accrued, which shall be served and returned as in ordinary actions.

(d)(1) If the defendant shall pay to the officer serving the summons the amount of damages claimed, the costs endorsed, and a further fee to the officer of twenty-five cents (25 ¢) for making the return, the summons shall be returned satisfied, and no further proceedings had.

(2) If the defendant fails, neglects, or refuses to pay that amount, the justice shall try the cause as in other ordinary actions and give judgment in favor of plaintiff for the amount proved in the cause, for which the defendant may be liable by the provisions of this section.

(e) In a second suit and recovery by any plaintiff against the same defendant on account of killing or injury done by the same dog, the justice shall render judgment for double the amount of damages proven.

History. Acts 1887, No. 136, §§ 1-4, p. 235; 1917, No. 155, §§ 1, 2; C. & M. Dig., §§ 339-343; Pope's Dig., §§ 354-358; A.S.A. 1947, §§ 78-206 - 78-210; Acts 1987, No. 393, §§ 1, 2.