

assumed to belong to the class *mansuetæ naturæ*, and is therefore ranked with other domestic animals. But if he allows his angry passions to rise, and wantonly does mischief to either man or beast, he falls into the ranks of animals *feræ naturæ*, and is treated accordingly. But not only is he liable in his proper person to various pains and penalties, but he involves his owner also in serious liabilities for the consequences of his misconduct. Consistently, however, with the assumption above stated the owner must be shewn to have become acquainted with the change of character from that of a domestic animal to that of a wild beast, and that knowledge must be pleaded in any proceedings taken.

By the old law there could not be larceny of a dog. The theft of a dog might be the subject of a civil action, but not of a criminal prosecution. Now, under the Larceny Act of 1861, special provision is made for the punishment of dog-stealing, or the receiving of stolen dogs. A dog is now also held to be *goods*, and his delivery may be ordered if unlawfully detained. And although a railway company cannot be held liable for running over a dog, the company must carry them as it would their passengers, subject to certain specified conditions. See post p.

The humane spirit of modern legislation has been extended to the dog as well as to his master, and cruelty to dogs is punishable by law.

The special liking which the dog has for mutton, whether in the shape of the roast leg which he snatches from the oven, or in the hunting and killing of the sheep when at large, has involved him in very serious trouble. Punishment for the more venial offence rests with the cook or the housekeeper, but the more serious one is severely dealt with. Sheep worrying, both in England and this country, has been legislated against by various enactments, both parliamentary and municipal. It is the one offence which is unpardonable, and the death penalty is inflicted often upon mere suspicion of the crime. Nothing is more harrowing to the feelings of the owner of some pet animal, in all other respects entitled to the warmest affection, than to have the faithful friend and companion charged with having committed, or being suspected of having committed, an assault upon such a helpless victim as a poor sheep, even where its life was not taken. Once begun, the habit is incurable and no mercy can be shewn.