

*PROPERTY IN DOGS.*

Though at first sight but a matter of small importance, the legal status of the dog has been the subject of much litigation, and the object of much controversy, and of many judicial opinions. That there should be any doubt upon the matter seems surprising when we consider how important a part the dog has played at all times in human affairs. There is no part of the world, and no condition of society, in which men, whether savage or civilized, have not made use of him. In the Arctic Regions he serves as a beast of burden where no other can be used. He promotes the cause of science by enabling the searcher for the North Pole to prosecute his adventurous quest. He is the mail-carrier for the Hudson's Bay Company, and is in the daily employ of the Eskimo and the Indian in their hunting expeditions, or winter journeys of any kind. In the Torrid Zone he is less useful, but even there does good work as a scavenger.

In temperate climates the dog fulfills a great number of useful functions. He is the friend and pet of man, whether rich or poor, from the lap-dog of the lady of fashion, more tenderly cared for than many of the human race, to the half-starved mongrel who shares the crust of the beggar. What would society be without its sports, and how could the sports be carried on without the dog? But he has an actual money value as well. He is the private policeman of every family, and protects their lives and their property. To the farmer he saves a man's wages in helping him to manage his cattle and his sheep, and in many other ways the dog is an animal for use as well as amusement.

Why then, with all these qualities and qualifications, is the dog regarded in the eye of the law as differing from, and altogether on a lower scale than the horse, the mule or the ass? Why for instance cannot a suit be maintained against a railway company for the negligent killing of a dog? Such nevertheless was the recent judgment on appeal to the Supreme Court of Georgia in a case reported in 37 *Central Law Journal*, p. 389. Following the accepted law on the subject Cobb, J., with much regret gave judgment as above stated, at the same time saying that for himself he saw no good reason why the dog should not have the same status before the law as any other domestic animal.

By the common law of England it would appear that the legal status of the dog rests entirely with himself. He is mercifully