

ANIMALS--LIABILITY OF OWNER OF DOG WHICH INJURES, KILLS OR MAIMS
LIVESTOCK OR FOWL. N.C.G.S. § 67-1.

The (*state number*) issue reads:

"Was the plaintiff damaged by the [injury] [killing]
[maiming] of *his* [livestock] [fowl] by the defendant's dog?"

On this issue the burden of proof is on the plaintiff. This means that the plaintiff must prove, by the greater weight of the evidence, four things:

First, that the defendant [owned] [was in charge of]
(*identify dog*).

Second, that (*identify dog*) [injured] [killed] [maimed] the
plaintiff's (*describe livestock or fowl*).

Third, that the plaintiff's (*describe livestock or fowl*)
[was] [were] not on the defendant's premises at the time of the
[injury] [killing] [maiming].

Fourth, that the plaintiff sustained damages as a result of
the [injury] [killing] [maiming].

Finally, as to this issue on which the plaintiff has the
burden of proof, if you find by the greater weight of the
evidence that the plaintiff was damaged by the [injury] [killing]
[maiming] of *his* [livestock] [fowl] by the defendant's dog, then
it would be your duty to answer this issue "Yes" in favor of the
plaintiff.

If, on the other hand, you fail to so find, then it would be
your duty to answer this issue "No" in favor of the defendant.

