

provisions. There shall be no liability on such persons in damages or otherwise for such killing. Any unlicensed dog that enters any field or yard shall constitute a private nuisance and the owner or tenant of such field or yard, or other agent or servant, may kill such dog while it is in the field or yard without liability or responsibility of any nature for such killing and any person may kill a female dog running at large while in heat without liabilities therefor [.] ; *except, however, that in Montgomery County it shall be unlawful for any person to kill any dog pursuant to the provisions of this section unless he sees such dog in the act of pursuing, worrying, wounding or killing any poultry, livestock, or attacking human beings.*

330. When any inhabitant of any county shall have any sheep, poultry or livestock destroyed or injured by a dog or dogs, he may apply to any Justice of the Peace of said county, who shall appoint three disinterested persons as appraisers to view and appraise the damages by him sustained, and they, or a majority of them, under oath, shall state in writing to the County Commissioners of said county, the number of sheep, poultry; or livestock killed, the character and extent of the injury, if any done, and the amount of the damages sustained by the owner; and both the appraisers and the owner of the sheep, poultry or livestock shall make oath that they believe the same to have been destroyed or injured by a dog or dogs; and when the report of such proceedings has been filed, the County Commissioners of said county shall review said report, and if in their judgment the amount of damages stated is unfair, they shall award such amount as they may deem fair; which award shall be paid out of the fund hereby created; provided, however, that the said sworn report of the appraisers shall be deemed prima facie evidence of the fairness of the award of damages in each instance; and provided, further, that the County Commissioners shall not change such an award unless they shall have personal knowledge of its unfairness, or shall receive competent testimony to the effect that the award is in excess of a fair commercial valuation of the sheep, poultry or livestock injured or destroyed by dogs. And if the owner of the dog or dogs doing the damage be known, it shall be the duty of the County Commissioners to notify such owner or owners to kill said dog or dogs immediately. If such dog or dogs be killed by the owner, after notice as aforesaid, he shall be exempt from all further liability, but in case the said owner or owners shall refuse or neglect to kill said dog or dogs upon notice as aforesaid, the said owner