

not paid in any one year by reason of the lack of money to the credit of the fund, which is to be designated "the dog license fund," shall be paid out of the first money coming into the fund after his claim is reached, and shall be paid in the order in which the claims are proved and filed; and any claims now filed and passed upon, but remaining unpaid, shall have preference over any new claims in the order of payment.

(4) The county commissioners of the several counties may expend any funds in excess of \$1,000 remaining in the hands of the treasurer or the tax collecting officer after the payment of the claims for any public purpose which, in their judgment may seem right and proper, and, whenever in their judgment it may become necessary to do so, may enter into a contract or agreement with the persons[, association of persons or corporations] they may deem suitable, for the removal, care and disposition of unlicensed dogs, or licensed dogs which may create a menace to the safety, security and property of the residents of the counties, on the terms and conditions and for the compensation that may be agreed to by the county commissioners and the persons[, associations of persons or corporations].

198.

(a) (1) If any [inhabitant of a county] PERSON has any sheep, poultry, or livestock destroyed or injured IN A COUNTY by a dog or dogs, he may apply to the sheriff or the designated official of the county, who shall appoint three disinterested persons as appraisers to view and appraise the damages [by him] sustained BY THE PERSON.

(2) At least one of the appraisers shall be a deputy sheriff of the county, and they, under oath, shall state in writing to the county commissioners of the 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, upon which they shall all agree, sustained by the owner.

(3) The appraisers and the owner of the sheep, poultry or livestock shall make oath OR SUBMIT AFFIDAVIT that they believe the sheep, poultry or livestock to have been destroyed or injured by a dog or dogs.

(b) (1) When the report of the proceedings has been filed, the county commissioners of the county shall review the report, and if in their judgment the amount of damages stated is unfair, they shall award an amount as they may deem fair.

(2) If the owner of the dog or dogs cannot be determined, the award shall be paid out of the dog license fund according to the procedures set out in § 197 of this article.

(3) The sworn report of the appraisers shall be deemed prima facie evidence of the fairness of the award of damages in each instance.