

sustained, and they or a majority of them shall, under oath, state in writing to the County Commissioners the number of fowls or animals so killed, the character and extent of the injury, if any, and the amount of damages sustained by the owner; and in like manner they shall give a general description of both the destroyed and injured fowl or animals; and both the appraisers and the owners shall make oath that they believe the same to have been destroyed or injured by dogs, and they or either of them, shall state under oath the names of the owners of said dogs, and when the report of such proceedings shall have been filed in the office of the County Commissioners the said Commissioners shall review said report, and if in their judgment the amount of damages stated is unfair they shall award such amounts as they may deem fair; provided, that before the Commissioners shall make any award of damages for the killing of said fowls or animals the person claiming damages shall be required to prove to the satisfaction of the County Commissioners that he does not know and is unable with reasonable diligence, to ascertain the owner of the dogs which did such damage; or if the said owner is known, to prove to the satisfaction of said Commissioners that it is impracticable to collect the amount of damage sustained by suit against the owner of said dogs; and in case any dog shall be known to kill any domestic fowls or animals it shall be lawful for any person to kill such dog; and in case the damage to any person by reason of loss or injury to his domestic fowls or animals shall be from dogs, either his own or kept upon his premises, he shall be entitled to no compensation under this Act.

Sec. 10. *And be it further enacted*, That this Act shall take effect from the date of its passage.

Approved March 25, 1908.

#### CHAPTER 127.

AN ACT to repeal section 34 of the charter of the town of Gaithersburg, in Montgomery county, as the same was enacted by chapter 292 of the Acts of the General Assembly of Maryland at the session of 1906, and re-enact the same with amendments, and to add a new section to the charter of said town of Gaithersburg, to follow after said section 34, and to be known as section 34A, to provide for watchmen at certain railroad crossings at said town of Gaithersburg, and to punish violations of the provisions of said sections.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That section 34 of the charter of the town of Gaithers-