

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 or owners shall be liable to the County Commissioners for said damages to the same extent as he would be liable in case of negligence or malicious destruction of property, and the said County Commissioners may in their discretion have the special officers or constables to kill said dog or dogs. In Montgomery County, however, the County Council in lieu of notifying the owner or owners to kill such dog or dogs may require such owner or owners to execute and file with the Clerk of the County Council a bond in such amount and upon such terms as it shall determine to indemnify the County Council for any such damage as said dog or dogs shall have done, but in case the said owner or owners should refuse or neglect to execute and post such bond the said County Council may, in its discretion, provide for the humane destruction of said dog or dogs.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1953.

Approved April 6, 1953.