

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 manager shall perform all powers, duties and responsibilities placed within the jurisdiction and control of the County Council by this section; and the county manager 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 county manager a bond in such amount and upon such terms as he 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 manager may, in his discretion, provide for the humane destruction of said dog or dogs.] *the County Council shall prescribe by law the manner in which the powers, duties and responsibilities placed within its jurisdiction and control by this section shall be exercised.* In Washington County no payments shall be made under this section unless the occurrence is reported to the justice of the peace, in order to have appraisers appointed, within 48 hours of the damage complained of, and unless such appraisers file their report with the County Commissioners of Washington County within 15 days after their appointment. In Frederick County, the appraisers to be appointed as provided by this section may also be appointed by the Sheriff, or any deputy sheriff of said county.

SEC. 3. *And be it further enacted,* That Section 1 of this Act shall take effect on December 7, 1970, and Section 2 of this Act shall take effect on July 1, 1970.

Approved April 1, 1970

CHAPTER 50
(House Bill 335)

AN ACT to repeal and re-enact, with amendments, Section 16-2 (b)(1) of Article 33 of the Annotated Code of Maryland (1969 Supplement), title "Elections," subtitle "Voting Machines," to