

MAINE STATE LEGISLATURE

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Sixty-Fourth Legislature.

HOUSE.

No. 83.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND EIGHTY-NINE.

AN ACT to amend Sections 2 and 4 of Chapter 138 of the Public Laws of 1887, entitled "An Act to extirpate Contagious Diseases among Cattle."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Section 2 of chapter 138 of the Public Laws 2 of 1887 is hereby amended by inserting in the fifth line 3 after the word "Commissioners," the words: 'their duly 4 constituted agent'; also by striking out in the twenty- 5 first and twenty-second lines of said section, after the 6 words "animals affected with," the words "or that have 7 been exposed to." Also by striking out in the twenty- 8 fourth and twenty-fifth lines, after the word "destroyed," 9 the words "except as hereinafter provided." Also by 10 striking out in the twenty-fifth line, after the word "pay," 11 the words "in case of diseased animals." Also by 12 striking out in the twenty-sixth line, after the word

13 “thereof,” the words “three-fourths,” and inserting
14 instead the words ‘one-half.’ Also by striking out in the
15 twenty-seventh, twenty-eighth and twenty-ninth lines,
16 after the word “infection,” the words “and the full
17 appraised value in case of animals exposed to either of
18 such diseases, but not themselves actually diseased.”
19 Also by inserting in the thirty-fifth line, before the word
20 “pedigree,” the word ‘recordable.’ Also by inserting
21 in the thirty-ninth line, after the word “high seas,” the
22 words ‘or that may have been brought into this State
23 within one year previous to such animal’s showing
24 evidence of such disease.’ Also strike out the words in
25 the thirty-first line of said section 2 of said chapter,
26 “they shall not pay,” and insert in their place, ‘no
27 appraised value shall be,’ so that section amended shall
28 read as follows, viz :

‘SECT. 2. That it shall be the duties of the said
2 commissioners to cause investigation to be made as to the
3 existence of tuberculosis, pleuro-pneumonia, foot and
4 mouth disease, and any other infectious or contagious dis-
5 eases. And such commissioners, or their duly consti-
6 tuted agent, are hereby authorized to enter any premises
7 or places, including stock yards, cars and vessels, within
8 any county, or part of the State, in or at which they have
9 reason to believe there exists any such diseases, and to
10 make search, investigation and inquiry in regard to the
11 existence thereof. Upon the discovery of the existence
12 of any of the said diseases, the said commissioners are
13 hereby authozized to give notice, by publication, of the
14 existence of such disease, and the locality thereof, in such
15 newspapers as they may select, and notify, in writing,

16 the officials or agents of any railroad, steamboat, or other
17 transportation company doing business in or through such
18 infected locality, of the existence of such disease ; and are
19 hereby authorized and required to establish and maintain
20 such quarantine of animals, places, premises, or localities
21 as they may deem necessary to prevent the spread of any
22 such disease, and also to cause the appraisal of the ani-
23 mal or animals affected with the said diseases, in accord-
24 ance with such rules and regulations by them, as herein-
25 after authorized and provided, and also to cause the same
26 to be destroyed, and to pay the owner or owners thereof
27 one-half of their appraised value, as determined upon the
28 basis of health before infection, out of any moneys appro-
29 priated by the legislature for that purpose ; *provided*,
30 *however*, that no appraised value shall be more than two
31 hundred dollars for an animal with pedigree recorded or
32 recordable in the recognized herd-books of the breed in
33 which the animal destroyed may belong, nor more than
34 one hundred dollars for an animal that has no recordable
35 pedigree ; *provided, further*, that in no case shall com-
36 pensation be allowed for an animal destroyed under the
37 provisions of this act, which may have contracted or been
38 exposed to such disease in a foreign country, or on the
39 high seas, or that may have been brought into this State
40 within one year previous to such animal's showing evi-
41 dence of such disease ; nor shall compensation be allowed
42 any owner who, in person, or by agent, knowingly and
43 wilfully conceals the existence of such disease, or the
44 fact of exposure thereto in animals of which the person
45 making such concealment, by himself or agent, is in
46 whole or part owner.'

SECT. 2. Sect. 7 of said act is hereby amended by
2 striking out “cattle” wherever it appears in said section,
3 and inserting in its place the word ‘animals.’

SECT. 3. Section 4 of chapter 138 of the Public Laws
2 of 1887 is hereby amended by inserting in the third, fourth
3 and eight lines, after the word “them” the words; ‘their
4 duly constituted agent’ so that said section as amended
5 shall read as follows :

‘SECT. 4. That any person or persons, who shall know-
2 ingly and wilfully refuse permission to said commissioners
3 or either of them, or their duly constituted agent to
4 make, or who knowingly and wilfully obstruct said com-
5 missioners or either of them or their duly constituted
6 agents in making all necessary examinations of and as to
7 animals supposed by said commissioners to be diseased as
8 aforesaid or in destroying the same or who knowingly
9 attempt to prevent said commissioners, or either of them
10 or their duly constituted agent from entering upon the
11 premises and other places hereinbefore specified where
12 any of said diseases are by said commissioners supposed
13 to exist, shall be deemed guilty of a misdemeanor and
14 upon conviction thereof or of either of the Acts in this sec-
15 tion prohibited shall be punished by fine not exceeding one
16 hundred dollars or by imprisonment not exceeding ninety
17 days or by both fine and imprisonment at the discretion
18 of the court.’

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
January 31, 1889.

Reported from Committee on Agriculture, by Mr. BURLEIGH, of
Vassalboro'; ordered printed under joint rule.

NICHOLAS FESSENDEN, *Clerk.*