

# MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

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SENATE

NO. 85

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*In Senate Feb. 9, 1911.*

*Presented by Mr. Hill of Penobscot and on motion by Mr. Hill laid on the table for printing pending reference to a committee.*

*W. C. HANSON, Secretary.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND ELEVEN.

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AN ACT to extirpate contagious diseases among cattle, horses,  
sheep and swine.

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*Be it enacted by the People of the State of Maine, as follows:*

Section 1. That there is hereby instituted and established  
2 a Bureau of Live Stock Industry for the purpose of encour-  
3 aging and improving the live stock interests of Maine.

Sect. 2. That the said Bureau of Live Stock Industry shall  
2 be a department of the State Department of Agriculture, and  
3 that its work and purposes shall be devoted wholly to the  
4 interests of live stock as mentioned in Section 1.

Sect. 3. The Bureau of Live Stock Industry shall be pre-  
2 sided over by a man of well known executive ability, who

3 shall not be a veterinary surgeon. He shall be appointed  
4 by the Commissioner of Agriculture, subject to the approval  
5 of the Governor and Council, and shall be known as the  
6 Chief of the Bureau of Live Stock Industry of Maine. He  
7 shall be appointed immediately after this act takes effect and  
8 his term of office shall be two years. He shall receive a  
9 salary of 1,200 dollars with three dollars allowance for clerk  
10 hire.

Sect. 4. It shall be the duty of said chief to cause investi-  
2 gation to be made into all infectious and contagious diseases  
3 of all domestic animals in the State of Maine, and he, or  
4 his duly authorized agent, is hereby authorized to enter any  
5 premises or places including stock-yards, cars or vessels  
6 within any county or part of the state in or at which they  
7 have reason to believe there exists any infectious or conta-  
8 gious diseases, and to make investigation and inquiry in re-  
9 gard to the existence thereof. Upon discovery of the exist-  
10 ence of any infectious or contagious disease said chief shall  
11 give notice of the existence of such disease and the locality  
12 thereof by publication in such newspapers as he and the  
13 Commissioner of Agriculture may select. He shall also no-  
14 tify the officials or agents of any railroad, steamboat or other  
15 transportation company doing business in or through such  
16 infested locality of the existence of such disease.

Sect. 5. The Commissioner of Agriculture and Chief of  
2 the Bureau of Live Stock Industry are hereby authorized  
3 and required to establish and maintain such quarantine of

4 animals, places, premises or localities as they may deem  
5 necessary to prevent the spread of any infectious or con-  
6 tagious disease. All animals condemned by said chief, or  
7 his duly authorized agent, shall be paid for out of any money  
8 appropriated by the legislature for the purpose on the basis  
9 of health before infection. Provided, however, that no ap-  
10 praised value shall be more than \$100.00 for an animal with  
11 pedigree recorded, or recordable, in a recognized herd book  
12 of the breed in which the animal destroyed may belong, nor  
13 more than \$50.00 for an animal that has no recordable ped-  
14 igree. Provided further that any person having animals  
15 condemned by said chief, or his duly authorized agent, may  
16 at his own expense secure an expert who shall witness the  
17 slaughter of the same and if upon examination no evidence  
18 of disease exist the owner shall be paid their full value  
19 whether for breeding, dairy or beef purposes. Provided  
20 further that any person having animals condemned by said  
21 chief, or his duly authorized agent, shall have the privilege,  
22 at his own expense, of having such animals quarantined un-  
23 til such time as the chief and Commissioner of Agriculture  
24 may determine is sufficient to warrant a retest.

Be it further provided that all animals brought into the  
26 State from all sources shall be tested within ninety days  
27 from the time of their arrival at their destination, and at the  
28 owners risk. Calves under four months shall be exempt  
29 from test.

Sect. 6. The said chief and commissioner of agriculture

2 are hereby authorized and required to make, record, and  
3 publish rules and regulations, providing for and regulating  
4 the agencies, methods and manner of conducting the investi-  
5 gations aforesaid regarding the existence of said infectious  
6 or contagious diseases; for ascertaining, entering and  
7 searching places where such diseases animals are supposed  
8 to exist; for ascertaining what animals are so diseased, or  
9 have been exposed to infectious or contagious diseases; for  
10 making, reporting and recording descriptions of the said  
11 animals so diseased, or exposed and destroyed, and for ap-  
12 praising the value of the same, and for making payment  
13 therefor; and to make all other needful rules and regula-  
14 tions which may in their judgment be deemed necessary for  
15 the full and complete execution of the provisions of this act.  
16 All such rules and regulations, before they shall become  
17 operative, shall be approved by the governor of Maine and  
18 thereafter published in such manner as may be provided for  
19 in such regulations, and after such publication said rules and  
20 regulations shall have the force and effect of law, so far as  
21 the same are not inconsistent with this act and the laws of  
22 the United States.

Sect. 7. That any person or persons who shall knowingly  
2 and wilfully refuse permission to the said chief or his duly  
3 authorized agent to make, or who knowingly and wilfully  
4 obstructs said chief or his duly authorized agent in making  
5 all necessary examinations of, and as to animals supposed  
6 by said chief or his duly authorized agent to be diseased as

7 aforesaid, or in destroying the same, or who knowingly at-  
8 tempts to prevent such chief, or his duly authorized agent,  
9 from entering upon the premises and other places herein  
10 before specified where any of said diseases are by the said  
11 chief, or his duly authorized agent, supposed to exist, shall  
12 be deemed guilty of a misdemeanor, and upon conviction  
13 thereof, or of either of the acts in this section prohibited,  
14 shall be punished by fine not exceeding one hundred dollars,  
15 or by imprisonment not exceeding ninety days, or by both,  
16 at the discretion of the court.

Sect. 8. That any person who is the owner of, or who is  
2 possessed of any interest in any animal affected with any  
3 infectious or contagious disease, or any person who is agent,  
4 common carrier, consignee, or is otherwise charged with  
5 any duty in regard to any animal so diseased, or exposed to  
6 the contagion of such disease, or any officer or agent,  
7 charged with any duties under the provisions of this act, who  
8 shall knowingly and wilfully fail, within a reasonable time,  
9 to report to said chief their knowledge or their information  
10 in regard to the existence and location of said disease, or of  
11 such exposure thereto, shall be deemed guilty of a misde-  
12 meanor and shall be punishable as provided in Section seven  
13 of this act.

Sect. 9. That no person or persons owning or operating a  
2 railroad, nor the owner or owners or masters of any steam,  
3 sailing or other vessels within the state, shall receive for  
4 transportation, or transport from one part of the state to

5 another part of the state, or to bring from another state or  
6 foreign country any animals affected with any infectious or  
7 contagious disease or that have been exposed to such dis-  
8 eases, especially the disease known as tuberculosis, knowing  
9 such animals to be affected or to have been so exposed; nor  
10 shall any person or persons, company or corporation, drive  
11 on foot, or transport in private conveyance, from one part  
12 of the state to another part of the state, any animal, knowing  
13 the same to be affected with, or to have been exposed to  
14 any of said diseases, except under such rules and regulations  
15 as are prescribed by the chief of the bureau of live stock in-  
16 dustry and commissioner of agriculture. Any person or  
17 persons violating the provisions of this section shall be  
18 deemed guilty of a misdemeanor and, upon conviction there-  
19 of, shall be punished by fine not exceeding the sum of two  
20 hundred dollars, or by imprisonment not exceeding six  
21 months, or by both.

The proper movement of these animals under the direction  
23 of the said chief or purposes of slaughter and disposal ex-  
24 cepted.

Sect. 10. When cattle shipped from Maine to the quaran-  
2 tine station at Brighton, Massachusetts, are subjected to the  
3 tuberculin test and respond to such test, and the inspector  
4 for the "cattle bureau" of Massachusetts shall find upon post  
5 mortem examination that such cattle were diseased with  
6 tuberculosis, and will so state in writing within twenty days  
7 from shipment, from the state, to the chief of the bureau of

8 live stock industry, and shall also give in writing a descrip-  
9 tion of such animal, the name of the owner, the shipper, the  
10 date and place from which the same was shipped, the name  
11 of the party of whom it was bought and the fair cash value  
12 at time condemned of such animal, not to exceed fifty dol-  
13 lars, and shall also comply with any other rule or regulation  
14 that the said chief may require, the owner shall be entitled  
15 to receive a fair market value, not to exceed fifty dollars,  
16 for said animal; but in no case shall he be paid for any ani-  
17 mal condemned under the provisions of this section until he  
18 has filed with the said chief a claim stating the name of the  
19 owner, shipper, his post office address, place and date of  
20 shipment, price paid for said animal, name of person from  
21 whom said animal was purchased, and such other informa-  
22 tion as the said chief may require; such claim shall be ac-  
23 companied in every instance with a "sale ticket" for such  
24 part of the animal as may have been sold, and the amount  
25 received from such sale shall be deducted from the appraised  
26 value due the owner of the condemned animal.

Sect. 11. Cattle re-acting to the tuberculin test shall, with  
2 the consent of the owner, be sent to establishments main-  
3 taining a United States government meat inspection service,  
4 and be killed under federal government inspection, and be  
5 disposed of according to the requirements of the govern-  
6 ment meat inspection act. If such diseased animals are not  
7 so shipped to such establishments, they shall be killed by  
8 such person as may be employed for such purpose by the



9 said chief, and the carcass of such diseased animal shall be  
10 buried under such regulations as may be prescribed by said  
11 chief. All money received from the sale of the hide, or other  
12 portion of such diseased animal, shall be paid to the treas-  
13 urer of the state of Maine and added to such appropriation  
14 as shall be made under this act.

Sect. 12. The said chief shall make all needful rules and  
2 regulations as to the manner in which application shall be  
3 made to them for the investigation of tuberculosis in the  
4 herds of the state, the way and manner in which the test  
5 shall be applied, and shall not be held responsible for any  
6 private test made.

Sect. 13. There shall be left with the owner of all con-  
2 demned animals a proper certificate, duly authenticated,  
3 showing the number condemned, and the value at which they  
4 were appraised, which shall be transferable only with the  
5 consent and acceptance of the chief of the bureau of live  
6 stock industry.

Sect. 14. That the said chief, or his duly authorized agent,  
2 shall thoroughly disinfect all stables and premises where  
3 condemned animals were found, or cause the same to be done  
4 by a competent agent in the employ of said chief and the  
5 expense incurred on account of such disinfection shall be  
6 paid from the appropriation made under the provisions of  
7 this act.

Sect. 15. No neat stock (calves, cows, steers, bulls or  
2 oxen) of any age, shall be allowed to enter the state of

3 Maine, from any other state or country, neither for dairy  
4 purposes, breeding purposes, nor for slaughter, (except cat-  
5 tle in transit, under the control of the federal government)  
6 without a PERMIT duly authorized by the chief of the  
7 bureau of live stock industry, said PERMIT to accompany  
8 the shipment.

Such animals shall be tested with tuberculin within 90 days  
10 of arrival, regardless of any other test made, and shall be  
11 held in quarantine on the premises of the owner until re-  
12 leased by the chief of the bureau of live stock industry.

Whoever violates any provision of this section shall be  
14 punished by a fine of not less than twenty-five dollars nor  
15 more than fifty dollars for each offense.

Sect. 16. That the chief of the bureau of live stock indus-  
2 try shall have power, and is hereby authorized to employ  
3 skilled veterinarians, and such other agents and employes as  
4 he may deem necessary to carry into effect the provisions of  
5 this act, and to fix the compensation of the person or persons  
6 so employed, and to terminate such employment at his dis-  
7 cretion; and he is authorized out of the moneys by this act  
8 appropriated, to make such expenditures as may be needed  
9 for the actual and necessary traveling expenses of said chief,  
10 his agents and employes, stationery, expense of disinfecting  
11 premises, cars and other places, destroying diseased and ex-  
12 posed animals and paying for the same, and such other ex-  
13 penses and expenditures as they may find to be annually  
14 necessary to properly carry into effect the provisions of this  
15 act.

Sect. 17. That the moneys appropriated under this act  
2 shall be paid in fulfillment of the purposes of this act only  
3 upon vouchers properly executed, and approved by the chief  
4 of the bureau of live stock industry. The said chief shall,  
5 before entering upon the duties of his office, take an oath to  
6 faithfully discharge the duties of his office, and shall enter  
7 into a bond to the state of Maine with sureties to be ap-  
8 proved by the treasurer of state, in such sum as he may des-  
9 ignate, for the faithful accounting of all moneys paid out  
10 under his approval under the provisions of this act.

Sect. 18. That for the purposes of carrying into effect the  
2 provisions of this act, the sum of twenty-five dollars a year,  
3 for two years, is hereby appropriated.

Sect. 19. That all acts and parts of acts inconsistent or in  
2 conflict with the provisions of this act, be, and the same are  
3 hereby repealed.