

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(NEW DRAFT)

EIGHTIETH LEGISLATURE

HOUSE

NO. 406

House of Representatives, March 26, 1921.

Reported by Mr. Chandler from Committee on Agriculture
and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT to Increase the Amount Paid by the State for Cattle
Condemned under the Provisions of Sections Three and Nine
of Chapter Thirty-five of the Revised Statutes.

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

Section 1. Section three of chapter thirty-five of the re-
2 vised statutes is hereby amended by striking out the words
3 "one hundred" in the sixteenth line of said section and in-
4 serting in place thereof the words 'one hundred and fifty,'
5 and by adding at the end of said section the following, to
6 wit: 'In addition to the appraisal value paid to the owner
7 of cattle as above provided, such owner shall also be entitled
8 to the proceeds derived from the sale of any carcass in ex-

9 cess of fifty dollars.' So that said section as amended shall
10 read as follows:

'Sect. 3. Upon the discovery of any disease mentioned
2 in the preceding section, the live stock sanitary commission-
3 er shall give notice of the existence and the locality thereof,
4 by publication in such newspapers as he may select, and
5 shall notify in writing the officials or agents of any rail-
6 road, steamboat or other transportation company, doing
7 business in or through such infected locality, of the exist-
8 ence of such disease; he shall establish and maintain such
9 quarantine of animals, places, premises or localities, as he
10 may deem necessary to prevent the spread of any such dis-
11 ease; he shall cause the animal or animals affected with the
12 said disease, to be appraised in accordance with the rules
13 and regulations made by him, as hereinafter authorized and
14 provided, and shall cause the same to be destroyed, and a
15 proper disposition of the carcass made, according to the
16 rules and regulations aforesaid; he shall pay to the owner
17 or owners thereof their value, as determined at the time
18 of the appraisal, out of any moneys appropriated by the
19 legislature for that purpose; provided, however, that no ap-
20 praised value shall be more than one hundred and fifty dol-
21 lars for cattle, with a pedigree recorded or recordable in
22 the recognized herd books of the breed in which the cattle
23 destroyed may belong, nor more than seventy-five dollars
24 for the cattle which have no recordable pedigree; and all
25 other animals so destroyed shall be paid for at the rate of

26 one-half their cash value; provided, that no appraised value
27 shall exceed one hundred dollars for any horse condemned;
28 provided, further, that in no case shall compensation be
29 allowed for any animal destroyed under the provisions of
30 this chapter, which may have contracted or been exposed
31 to such disease in a foreign country or on the high seas,
32 or that may have been brought into this state, within one
33 year previous to such animal showing evidence of such dis-
34 ease, and the owner or owners thereof shall furnish satis-
35 factory evidence as to the time during which such animal
36 or animals shall have been owned in the state; nor shall
37 compensation be allowed to any owner who in person, or
38 by agent, knowingly and wilfully conceals the existence of
39 such disease, or the fact of exposure thereto in animals of
40 which the person making such concealment, by himself or
41 agent, is in whole or in part owner. In addition to the ap-
42 praisal value paid to the owner of cattle as above provided,
43 such owner shall also be entitled to the proceeds derived
44 from the sale of any carcass in excess of fifty dollars.'

Sect. 2. Section nine of said chapter thirty-five is hereby
2 amended by striking out the words "one hundred" in the
3 thirteenth line of said section and inserting in place thereof
4 the words 'one hundred and fifty,' and by striking out the
5 word "thoroughbred" in the fourteenth line of said section
6 and inserting in place thereof the word 'purebred,' and by
7 striking out the words "and the amount of such sale shall
8 be deducted from the appraised value due the owner of
9 the condemned animal" in the twenty-second, twenty-third

10 and twenty-fourth lines of said section, and inserting in
11 place thereof the following, namely: 'and the proceeds of
12 such sale in excess of fifty dollars shall be added to the
13 appraised value to be paid the owner of any condemned
14 animal under the foregoing provisions.' So that said sec-
15 tion as amended shall read as follows:

'Sect. 9. When cattle shipped from Maine to the quar-
2 antine station at Brighton, Massachusetts, are subjected to
3 the tuberculin test, and respond to such test, and the in-
4 spector for the "Cattle Bureau of Massachusetts" shall find
5 upon post-mortem examination that such cattle were dis-
6 eased with tuberculosis, and shall so state in writing to
7 the live stock sanitary commissioner within thirty days from
8 shipment from the state, and shall also give in writing a
9 description of such animal, the name of the owner, the
10 shipper, the date and name of place from which the same
11 was shipped, the name of the party of whom it was bought
12 and the fair cash value of such animal when condemned,
13 and shall also comply with any other rule or regulation
14 that the live stock sanitary commissioner may require, the
15 owner shall be entitled to receive a fair market value, not
16 to exceed seventy-five dollars for grade, and one hundred
17 and fifty dollars for purebred cattle, with a pedigree re-
18 corded or recordable; but in no case shall the owner be
19 paid for any animal condemned under the provisions of
20 this section, until he has filed with the live stock sanitary
21 commissioner a claim, stating the name of the owner, the

22 shipper, his post-office address, place and date of shipment,
23 a fair market value for such animal, name of the person
24 from whom said animal was purchased or consigned and
25 such other information as the live stock sanitary commis-
26 sioner may require; such claim shall be accompanied in
27 every instance with a "sale ticket" for such part of the
28 animal as may have been sold, and the proceeds of such
29 sale in excess of fifty dollars shall be added to the appraised
30 value to be paid the owner of any condemned animal under
31 the foregoing provisions. Cattle reacting to the tuberculin
32 test may be sent to establishments maintaining a United
33 States Government meat inspection service, and be killed
34 under federal government inspection, and be disposed of
35 according to the requirements of the Government Meat In-
36 spection Act.'