

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

1913

Including Acts and Resolves of the Special Session held
in 1912.

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

suspend the order of the commissioner, pending the determination of the petition upon its merits, and may, after final hearing thereon, make such decree in connection with the matter complained of as justice may require. The court shall make provision for summary hearing and determination of such petitions so far as in its discretion seems desirable.

CHAP. 210

PENALTIES.

Section 12. Any dealer or any person violating any provision of this act, or knowingly filing with the commissioner or furnishing to him any false or misleading statements or information, shall be punishable upon conviction thereof by a fine of not more than one thousand dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. The foregoing penalties shall be in addition to, and not a substitute for, any civil or criminal liability now or hereafter existing.

Penalty for violation of this act.

Section 13. No registration shall be necessary, or become effective, under this act, before the first day of January, nineteen hundred fourteen.

Registration shall be made after January 1, 1914.

Section 14. All acts or parts of acts inconsistent with this act are hereby repealed.

Inconsistent acts repealed.

Approved April 9, 1913.

Chapter 210.

An Act to Amend Sections Two, Nine and Twelve of Chapter One Hundred and Ninety-five of the Public Laws of Nineteen Hundred and Eleven in Relation to the Control of Contagious Diseases Among Cattle, Sheep and Swine.

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

Section 1. Section two of chapter one hundred ninety-five of the public laws of nineteen hundred eleven is hereby amended by inserting after the word "value" in the thirty-sixth line thereof, the following: 'provided, that no appraised value shall exceed one hundred dollars for any horse condemned; and,' so that said section as amended shall read as follows:

Section 2 of chapter 195, P. L. of 1911, amended.

'Section 2. That it shall be the duty of the live stock sanitary commissioner to cause investigation to be made as to the existence of tuberculosis, pleuro-pneumonia, foot and mouth disease, glanders, hog cholera and other infectious and contagious disease, among cattle, horses, sheep and swine; and such live stock sanitary commissioner or his duly constituted agent, is hereby authorized to enter any premises or places including stock-yards cars and vessels, within any county or part of the

Commissioner shall investigate as to existence of disease.

CHAP. 210

state, in or at which he has reason to believe there exists any such disease, and to make search, investigation and inquiry in regard to the existence thereof.

Shall give notice by publication of existence of disease.

‘Upon the discovery of the existence of any of the said diseases, the live stock sanitary commissioner is authorized to give notice, by publication of the existence of such diseases, and the locality thereof, in such newspapers as he may select, and to notify in writing the officials or agents of any railroad, steamboats or other transportation company, doing business in or through such infected locality, of the existence of such disease; and is hereby authorized and required to establish and maintain such quarantine of animals, places, premises or localities, as he may deem necessary to prevent the spread of any such disease, and also to cause the appraisal of the animal or animals affected with the said disease, in accordance with such rules and regulations, made by him, as hereinafter authorized and provided, and also to cause the same to be destroyed, and a proper disposition of the carcass made, according to rule and regulation as aforesaid, and to pay to the owner or owners thereof their value, as determined upon at the time of the appraisal, out of any moneys appropriated by the legislature for that purpose; provided, however, that no appraised value shall be more than one hundred dollars for cattle, with a pedigree recorded, or recordable in the recognized herd books, of the breed in which the cattle destroyed may belong, nor more than fifty dollars, for the cattle which has no recordable pedigree; and all other animals so destroyed shall be paid for at the rate of one-half of their cash value; provided, that no appraised value shall exceed one hundred dollars for any horse condemned; and provided, further, that in no case shall compensation be allowed for any animal destroyed under the provisions of this act, which may have contracted or been exposed, to such disease in a foreign country, or on the high seas, or that may have been brought into this state, within one year previous to such animal showing evidence of such disease, and the owner or owners thereof shall furnish satisfactory evidence as to the time such animal or animals shall have been owned in the state; nor shall compensation be allowed to any owner who in person, or by agent, knowingly and wilfully conceals the existence of such disease, or the fact of exposure thereto in animals of which the person

—may establish quarantine.

—appraisal of animals affected.

—proviso.

—further proviso.

making such concealment, by himself or agent is in whole or part owner.'

Section 2. Section nine of chapter one hundred and ninety-five of the public laws of one thousand nine hundred and eleven, is hereby repealed and the following substituted in place thereof:

'Section 9. Any person or persons bringing horses into the state of Maine must have a permit and shall notify the live stock sanitary commissioner within forty-eight hours after their arrival, who shall at once cause the same to be examined either by a physical examination or to be tested with mallein, or the blood test used, at the expense of the owner, and if an animal is found to be glandered no compensation shall be allowed.

'No permit or examination will be required for horses used in circuses and to perform on the stage.

'Whoever violates any of the provisions of this section shall be punished by a fine as provided in section sixteen.'

Section 3. Section twelve of chapter one hundred and ninety-five of the public laws of nineteen hundred and eleven is hereby repealed and the following substituted in place thereof:

'Section 12. The live stock sanitary commissioner shall make all needful rules and regulations as to the manner in which application shall be made to him for the investigation of tuberculosis in the herds of the state, provided, however, he employ regular skilled veterinarians and shall regulate the way and manner in which the test shall be applied and the state shall not be held responsible for any private test made. Provided, that any registered veterinarian in good standing may have the right to use the tuberculin test by filing with the commissioner of agriculture evidence of his registration and that he is in good standing. Upon receipt of such evidence the commissioner of agriculture shall issue a permit granting him the right to practice for the department. The live stock sanitary commissioner having sufficient evidence that he is incompetent or has been engaged in fraudulent practices in the use of the tuberculin test, shall suspend him from practicing by written notice, which notice shall state the reason for his suspension. The live stock sanitary commissioner shall immediately file with the governor and commissioner of agriculture the evidence of incompetency or of fraudulent practice in the use of the tuberculin test. The governor and commissioner of agriculture shall give the party a hearing, and if they find he is incompetent or has been engaged in fraudulent practice in the use of the tuberculin test they shall strike his name from the list; but if found competent, or not guilty of fraudulent practice in the use of the tuberculin test,

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Section 9 of chapter 195, P. L. of 1911, repealed.

Persons bringing horses into this state must have permit.

—exception.

Penalty for violation.

Section 12 of chapter 195, P. L. of 1911, repealed.

Application for investigation as to tuberculosis.

—proviso.

—use of tuberculin test.

CHAP. 211. they shall notify the live stock sanitary commissioner of their finding, and he shall notify the party that he can resume practice for the department.'

Approved April 9, 1913.

Chapter 211.

An Act to Regulate the Sale of Morphine and Other Hypnotic or Narcotic Drugs.

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

Manufacture of preparations containing cocaine, etc., forbidden.

Section 1. No person, firm or corporation shall manufacture any so-called catarrh powder or catarrh cure, or any patent or proprietary preparation containing cocaine, or any of its salts, or alpha or beta eucaine, or any of their salts, or any synthetic substitute for them.

Cocaine, etc., shall be sold only upon a written prescription of a physician, etc.

Section 2. No person, firm or corporation shall sell, or expose or offer for sale, or give, deliver or exchange cocaine, or alpha or beta eucaine, or any synthetic substitute for them or any preparation containing the same, or any salts or compounds thereof, except upon the written prescription of a physician, dentist, or veterinary surgeon, registered under the laws of the state in which he resides, which prescription shall be dated and bear the name of the person giving it and of the person prescribed for, and the original prescription shall be retained by the druggist filling the same for at least two years and shall not again be filled, except upon the written order of the original prescriber, and shall at all times be open to inspection by members of the state board of health, members of the state board of pharmacy, and their authorized agents, by state officials and their authorized agents, and by the police authorities and officers of cities and towns. But no practitioner of veterinary medicine shall prescribe any of the above mentioned substances for the use of a human being.

—original prescription shall be retained by druggist.

Opium, morphine, etc., shall be sold only upon a written prescription of a physician, etc.

Section 3. No person shall sell, furnish, give away or deliver opium, morphine, heroin, codeine, cannabis indica or cannabis sativa, or any salt, compound or preparation of said substances except upon the written prescription or order of a lawfully authorized practitioner of medicine, dentistry or veterinary medicine, which prescription shall be dated and shall bear the name of the person giving it, and the name of the person