

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)

ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

Published by the Secretary of State.

AUGUSTA

KENNEBEC JOURNAL PRINT

1915

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

1915

[supplied from page 1 of volume]

Chapter 304.

CHAP. 304

An Act to Amend Sections Two and Eight of Chapter One Hundred Ninety-five of the Public Laws of Nineteen Hundred Eleven, Relating to the Extirpation of Contagious Diseases Among Cattle, Horses, 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, as amended by chapter two hundred ten of the Public Laws of nineteen hundred thirteen, is hereby amended by striking out the word "fifty" in the thirty-third line of said section as amended and inserting in place thereof the word 'seventy-five' so that said section as herein amended shall read as follows:

Ch. 195, Sec. 2, P. L., 1911, as amended by Ch. 210, P. L., 1913, further 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 diseases, 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 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.

Commissioner shall cause investigation of existence of disease to be made.

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 hereby is 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, 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 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 re-

—shall publish notice of existence of diseases in newspapers.

—shall establish quarantine.

—appraisal of animals affected.

—destruction of affected animals.

—appraised values limited.

CHAP. 304

Compensation to be withheld, when.

Ch. 195, Sec. 8, P. L., 1911, as amended further amended.

Compensation for condemned cattle shipped to Brighton.

Inspector of Cattle Bureau of Mass. shall report to Live Stock Sanitary Commissioner before owner is entitled to receive compensation.

corded, or recordable in the recognized herd books, of the breed in which the cattle destroyed may belong, nor more than seventy-five 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 making such concealment, by himself or agent is in whole or part owner.'

Section 2. Section eight of chapter one hundred ninety-five of the Public Laws of nineteen hundred eleven as amended by chapter seventy-four of the Public Laws of nineteen hundred thirteen is hereby further amended by striking out the word "twenty" in the sixth line of said section and inserting in place thereof the word 'thirty'; by striking out the word "fifty" in the fourteenth line of said section and inserting in place thereof the word 'seventy-five'; by striking out the words "price paid" in the twentieth and twenty-first lines of said section and inserting in place thereof the words 'a fair market value'; and by adding after the word "purchased" in the twenty-second line the words 'or consigned'; so that said section, as amended, shall read as follows:

'Section 8. When cattle shipped from Maine to the quarantine station at Brighton, Massachusetts, are subjected to the tuberculin test, and respond to such test, and the inspector of the Cattle Bureau of Massachusetts shall find upon post mortem examination that such cattle were diseased from tuberculosis, and will so state in writing within thirty days from shipment from the State, to the Live Stock Sanitary Commissioner, and shall also give in writing, a description of such animal, the name of owner, the shipper, the date and name of place from which same was shipped, the name of the party of whom it was bought and a fair cash value of such animal at time condemned, and shall also comply with any other rule or regulation

that the Live Stock Sanitary Commissioner may require, the owner shall be entitled to receive a fair market value, not to exceed seventy-five dollars for grade and one hundred dollars for thoroughbred cattle, with a pedigree recorded or recordable; but in no case shall he be paid for any animal condemned under the provisions of this section, until he has filed with the Live Stock Sanitary Commissioner a claim, stating the name of the owner, the shipper, his postoffice address, place and date of shipment, a fair market value of such animal, name of the person from whom said animal was purchased or consigned, and such other information as the Live Stock Sanitary Commissioner may require; such claim shall be accompanied in every instance with a "sale ticket" for such part of the animal as may have been sold, and the amount of such sale shall be deducted from the appraised value due the owner of the condemned animal. Cattle reacting to the tuberculin test may be sent to establishments maintaining a United States Government meat inspection service, and be killed under Federal Government inspection, and be disposed of according to the requirements of the government meat inspection act.'

CHAP. 305

Compensation may be withheld.

Disposal of infected cattle.

Approved April 1, 1915.

Chapter 305.

An Act Relating to Procedure in the Supreme Judicial and Superior Courts.

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

Any justice of the Supreme Judicial or Superior courts on application of either party and on notice, may in vacation hear and determine a demurrer or any interlocutory motion in any cause pending in these courts respectively, and may make any order therein which the court could make if in session; and by agreement of parties, he may, at any time or place, try and determine issues of fact and of law submitted to him and render any judgment therein which the court could render if in session. Any such justice may in vacation render judgment heard by him in term time. Parties shall have the right of exception to such orders and judgments, and to other rulings on questions of law, as if judgment had been rendered in term time. Bills of exceptions in such cases shall be filed within such time as

Justices may have hearings and render judgments in vacation time.

—right of exception.