

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eightieth Legislature

OF THE

STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

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PUBLIC LAWS
OF THE
STATE OF MAINE

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recovered as damages for injuries for any other highways, shall be transmitted by the municipal officers to the treasurer of the town, city or plantation and credited to the fund for maintenance to highways.

Sec. 3. Emergency clause. In view of the emergency set forth in the preamble, this act shall take effect when approved.

Approved April 8, 1921.

Chapter 188.

An Act to Amend Sections Three and Nine of Chapter Thirty-five of the Revised Statutes, Increasing the Amount Paid by the State for Cattle Condemned.

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

Sec. 1. R. S., c. 35, § 3; relating to the notice, by publication, of existence of disease in animals, quarantine of places and animals and appraisal of animals condemned, amended. Section three of chapter thirty-five of the revised statutes is hereby amended by striking out the words "one hundred" in the sixteenth line of said section and inserting in place thereof the words, 'one hundred and fifty,' and by adding at the end of said section the following, to wit: 'In addition to the appraisal value paid to the owner of cattle as above provided, such owner shall also be entitled to the proceeds derived from the sale of any carcass in excess of fifty dollars,' so that said section, as amended, shall read as follows:

'Sec. 3. Limit of appraisal value for cattle increased to \$150; owner entitled to proceeds of sale of carcass in excess of \$50. Upon the discovery of any disease mentioned in the preceding section, the live stock sanitary commissioner shall give notice of the existence and the locality thereof, by publication in such newspapers as he may select, and shall notify in writing the officials or agents of any railroad, steamboat or other transportation company, doing business in or through such infected locality, of the existence of such disease; he shall establish and maintain such quarantine of animals, places, premises or localities, as he may deem necessary to prevent the spread of any such disease; he shall cause the animal or animals affected with the said disease, to be appraised in accordance with the rules and regulations made by him, as hereinafter authorized and provided, and shall cause the same to be destroyed, and a proper disposition of the carcass made, according to the rules and regulations aforesaid; he shall pay to the owner or owners thereof their value, as determined 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 and fifty 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 seventy-five dollars for the cattle which have no recordable pedigree; and all other animals so destroyed shall be paid for at the rate of one-half their cash value; provided, that no appraised value shall exceed one hundred dollars for any horse condemned; provided, further, that in no case shall compensation be allowed for any animal destroyed under the provisions of this chapter, 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 during which 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 in part owner. In addition to the appraisal value paid to the owner of cattle as above provided, such owner shall also be entitled to the proceeds derived from the sale of any carcass in excess of fifty dollars.'

Sec. 2. R. S., c. 35, § 9; relating to the condemnation of cattle reacting to the tuberculin test that are shipped to the quarantine station at Brighton, Mass. Section nine of said chapter thirty-five is hereby amended by striking out the words "one hundred" in the thirteenth line of said section and inserting in place thereof the words, 'one hundred and fifty,' and by striking out the word "thoroughbred" in the fourteenth line of said section and inserting in place thereof the words 'pure bred,' and by striking out the words "and the amount of such sale shall be deducted from the appraised value due the owner of the condemned animal" in the twenty-second, twenty-third and twenty-fourth lines of said section, and inserting in place thereof the following, namely: 'and the proceeds of such sale in excess of fifty dollars shall be added to the appraised value to be paid the owner of any condemned animal under the foregoing provisions,' so that said section, as amended, shall read as follows:

'Sec. 9. Maximum limit for pure bred cattle increased to \$150; amount of proceeds of sale of carcass in excess of \$50 to be paid to owner. 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 for the "Cattle Bureau of Massachusetts" shall find upon post-mortem examination that such cattle were diseased with tuberculosis, and shall so state in writing to the live stock sanitary commissioner within thirty days from shipment from the state, and shall also give in writing a description of such animal, the name of the owner, the shipper, the date and name of place from which the same

was shipped, the name of the party of whom it was bought and the fair cash value of such animal when 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 and fifty dollars for pure bred cattle, with a pedigree recorded or recordable; but in no case shall the owner 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 post-office address, place and date of shipment, a fair market value for 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 proceeds of such sale in excess of fifty dollars shall be added to the appraised value to be paid the owner of any condemned animal under the foregoing provisions. 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.'

Approved April 8, 1921.

Chapter 189.

An Act to Provide for the Payment of a Bonus to Maine Soldiers and Sailors in the War with Spain.

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

Sec. 1. Providing for the payment of a bonus to Spanish War veterans. In order to promote the spirit of patriotism and loyalty, in testimony of the gratitude of the State of Maine, and in recognition of the splendid services of Maine men in the war with Spain, every soldier, as hereinafter defined, who served during the war at any time from April twenty-fifth, eighteen hundred ninety-eight, to August twelfth, eighteen hundred ninety-eight, inclusive, shall be entitled to receive from the State of Maine, from a fund hereinafter created and called "The Spanish War Soldiers' Bonus Fund," the sum of one hundred dollars; provided, however, that any soldier who has received extra pay from the state under chapter forty of the resolves of eighteen hundred ninety-nine or otherwise shall be entitled to receive only the difference between said sum of one hundred dollars and the amount so paid him.

Sec. 2. The word "soldier" defined. The word "soldier" as used