MAINE STATE LEGISLATURE

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For the Year 1912

VOLUME III

WATERVILLE SENTINEL PUBLISHING COMPANY 1914

REPORT

OF THE

LIVE STOCK SANITARY COMMISSIONER

OF THE

State of Maine

ON

CONTAGIOUS DISEASES OF ANIMALS

1911-12

IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 195, PUBLIC LAWS OF 1911.

VAN W. CARLL, Commissioner.

WATERVILLE SENTINEL PUBLISHING COMPANY 1912

REPORT OF LIVE STOCK SANITARY COMMISSIONER.

To His Excellency, Frederick W. Plaisted, Governor of Maine:

I herewith submit the report of the Live Stock Sanitary Commissioner from May 1, 1911, to December 31, 1912, containing an account of the cattle, horses, sheep and hogs condemned and destroyed under the provisions of Chapter 195 of the Public Laws of 1911, relating to contagious diseases among cattle, horses, sheep and swine.

I have personally killed and held post mortems on 147 cattle that have reacted to the tuberculin test and have found but very few that did not show marked signs of tuberculosis to the naked eye. The tuberculin test is no longer an experiment, but has proved itself to be a very reliable test for tuberculosis. More farmers are being convinced of this fact every year and are trying to clean up their herds. The value of cattle has increased fully 20 per cent during the past two years, and as the limit of appraisals is now \$50 on grades, \$100 on registered animals and \$100 on horses, the appraisals must necessarily be higher than ever before. The farmers have paid for their own testing, under the new rules, which some object to, but I think the farmer should have some of the responsibility, for when he has no responsibility he loses all interest in the matter. The old law provided that the State should pay for the testing of pure bred cattle, and if the State paid for the testing of any cattle it should be the grades, the poor farmer's cow.

A great many of the condemned cattle have been killed under United States inspection and the meat has been sold. For these carcasses and hides the State has received \$5,577.83.

I have done a great deal of disinfecting of stables personally. Where I have not done it myself the owners have done the work under my instructions as well as possible, which has made the expense of disinfecting much less than ever before. No state in the Union is paying as much as Maine to stamp out tuberculosis and keep its herds healthy and no state allows such a large appraisal for cattle that are condemned. And if the State, the farmers and the veterinarians will continue to co-operate in the work, the disease can be practically stamped out. In sections where the testing has been followed up, the percentage of diseased animals has decreased very much, but in sections where testing has not been done in many herds a large number of reactors are found and destroyed; but on the whole there are few, if any, states that have as low a percentage of tuberculous cattle as has this State.

It has been impossible to get the exact percentage of cows condemned to the total number tested, as the veterinarians have neglected to send in reports of animals that passed the test.

The following figures show the amount of business done from May 1st, 1911, to Dec. 31, 1912:

FINANCIAL STATEMENT.

May 1, to December 31, 1911.

Appropriation for 1911		
Paid for condemned animals	\$18,224.47*	\$26,486.18
missioner	1,755.37	
Disinfecting	171.75	
Other services and expenses of assistants	417.42*	
Clerical work	253.00	
Printing and binding	84.87	
Hog cholera serum	115.00	
Express, telephone and telegraph	110.23	
Miscellaneous supplies and incidental expenses	417.95*	
Balance reverting to State Treasury	4,906.12	
		\$26,486.18

STATISTICS OF CONDEMNED ANIMALS.

May I to December 31, 1911.

J2, 191			
		Α	verage
	No.	Amount, A	mt. per
		· · · · · · · · · · · · · · · · · · ·	Animal.
Pure bred cattle condemned for tuberculosis	9	\$800.00	\$88.88
Grade cattle condemned for tuberculosis	322	12,301.50*	38.20
Cattle killed for beef and found diseased with	•	70 0	Ü
tuberculosis	27	734.10	27.19
Cattle condemned for lump jaw	4	120.00	30.00
Pure bred cattle condemned at Brighton, Mass.	•		
for tuberculosis	3	159.20	53.07
Grade cattle condemned at Brighton, Mass. for			
tuberculosis	94	2,910.67*	30.96
Total appraisals of cattle killed at Brighton,	• •		0 -
\$4,375.00; amount received for hides and			
carcasses, \$1,305.13.			
Horses condemned for glanders	29	999.00	34.45
Horses condemned for cerebro-spinal meningitis	-	200.00	50.00
	492	\$18,224.47	\$37.04

FINANCIAL STATEMENT, 1912.

Appropriation for 1912	4,091.65	\$29,091.65
Paid for condemned animals		\$29,091.05
missioner	2,668.95	
Disinfecting	349.51	
Other services and expenses of assistants	411.69	
Clerical work	583.98	
Printing and binding	35.38	,
Hog cholera serum	70.00	
Express, telephone and telegraph	136.06	
Miscellaneous supplies and incidental expenses	397.27	
		\$29,091.65
Amount due for condemned animals (deficiency)		7,741.10
Total business for the year	•	\$36,832.75

^{*}Amounts increased by bills received after report of 1911 to Commissioner of Agriculture.

STATISTICS OF CONDEMNED ANIMALS, 1912.

	,034	\$32,179.91	\$31.12
Sheep condemned for tuberculosis	223	609.00	2.73
Hogs condemned for tuberculosis		167.85	10.49
Horses condemned for glanders		3,017.50	41.33
carcasses, \$1,961.33.			
\$5,269.00; amount received for hides and			
Total appraisals of cattle killed at Brighton,			
tuberculosis	107	3,249.44	30.37
Grade cattle condemned at Brighton, Mass. for			
for tuberculosis	1	58.23	58.23
Pure bred cattle condemned at Brighton, Mass.,			
tuberculosis	110	3,272.39	29.75
Cattle killed for beef and found diseased with			
Grade cattle condemned for tuberculosis	463	18,195.50	39.30
Pure bred cattle, condemned for tuberculosis	41	\$3,610.00	\$88.05
			Animal.
	No.	Amount, A	Amt. per
			Average
		,	

CHAPTER 195, PUBLIC LAWS OF 1911.

An Act to extirpate contagious diseases among cattle, horses, sheep, and swine.

Whereas the term of office of the present state of Maine cattle commissioners expires May first, nineteen hundred and eleven, and whereas it is necessary for the live stock interests in Maine that this act should take effect on the first day of May, in the year of our Lord nineteen hundred and eleven, therefore in the judgment of the legislature, the measure herein proposed is immediately necessary for the preservation of the public peace, health and safety.

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

Section 1. That for the purpose of facilitating and encouraging the live stock interests of Maine, and for extirpating all insidious, infectious and contagious diseases, now or that may be among cattle, horses, sheep and swine, and especially tuberculosis, the governor of the state is hereby authorized and required, immediately after the passage of this act, to appoint one person of known ability, who shall be charged with the execution of the provisions of this act, and who shall be known and designated as the live stock sanitary commissioner and whose powers and duties shall be those provided for in this act, and whose tenure of office shall be four years, unless sooner removed by the governor. Said live stock sanitary commissioner shall work in conjunction with and under the general direction of the commissioner of agriculture.

The compensation of said commissioner shall be fifteen hundred dollars per year and actual traveling expenses and five hundred dollars for clerk hire.

He shall take oath to faithfully perform the duties of his office devolving upon him by the provisions of this act.

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 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.

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 recorded pedigree; and all other animals so destroyed shall be paid for at the rate of onehalf their cash vaue; 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 3. That the live stock sanitary commissioner is hereby authorized and required to make record, and publish rules and regulations, providing for and regulating the agencies, methods and manners of conducting the investigation aforesaid, regarding the existence of said contagious diseases; for ascertaining, entering and searching places where such diseased animals are supposed to exist; for ascertaining what animals are so diseased, or have been exposed to contagious diseases; for making, reporting and recording descriptions of said animals so diseased, exposed and destroyed and for appraising the same, and for making payment therefor; and to make all other needful rules and regulations, which may in his judgment be deemed requisite, to the full and due execution of the provisions of this act. All such rules and regulations before they shall become operative, shall be approved by the governor of Maine, and thereafter published in such manner as may

be provided for in such rules and regulations and, after such publication, said rules and regulations shall have the force and effect of the law, so far as the same are not inconsistent with this act and other laws of the state, or the United States.

Section 4. That any person or persons who shall knowingly and wilfully refuse permission to the live stock sanitary commissioner, or his duly constituted agent, to make, or who knowingly or wilfully, obstruct said live stock sanitary commissioner, or his duly constituted agent, in making necessary examination of, and as to animals supposed by the live stock sanitary commissioner or his agent to be diseased as aforesaid, or in destroying the same, or who knowingly attempts to prevent such live stock sanitary commissioner or his duly constituted agent, from entering upon the premises and other places hereinbefore specified, where any of said diseases are by the live stock sanitary commissioner supposed to exist, shall be punished by fine, not exceeding one hundred dollars, or by imprisonment, not exceeding ninety days, or by both at the discretion of the court.

Section 5. That any person who is the owner of or who is possessed of any interest in any animal affected with any of the diseases named in section two of this act, or any person who is agent, common carrier, consignee or is otherwise charged with any duty in regard to any animal so diseased, or exposed to the contagion of such disease, or an officer or agent, charged with any duties under the provisions of this act, who shall knowingly conceal the existence of such contagious disease, or the fact of such exposure to contagion, and who shall knowingly and wilfully fail within a reasonable time to report to the live stock sanitary commissioner the knowledge of their information in regard to the existence and location of such disease, or of exposure thereto (shall be deemed guilty of a misdemeanor) and shall be punished as provided in section four of this act.

Section 6. That when the owner of animals adjudged under the provisions of this act, by the proper authority, to be diseased, or to have been exposed to contagion, refuses to accept the sum authorized to be paid under the appraisement provided for in this act, it shall be the duty of the live stock sanitary commissioner to declare and maintain a rigid quarantine for thirty days as to the animals adjudged as aforesaid, to be deceased, or exposed to any contagious or infectious diseases and of the premises or places where said cattle, horses, sheep, or swine may be found, according to the rules and regulations to be prescribed by said live stock sanitary commissioner, approved by the governor, and published as provided in the third section of this act.

SECTION 7. That no person owning or operating a railroad, nor the owner or owners or masters, of any steam, sailing or other vessel, within the state, shall receive for transportation, or transport from one part of the state to another part of the state, or to bring from any other state or foreign country, any animal affected with any of the diseases

named in section two of this act, or that have been exposed to such diseases, especially the disease known as tuberculosis, knowing such animal to be affected or to have been so exposed; nor shall any person or persons, company or corporations, drive on foot, or transport in private conveyance, from one part of the state to another part of the state, any animal knowing the same to be affected with, or to have been exposed to, any of said diseases; the proper movement of these animals under the direction of the live stock sanitary commissioner for purposes of slaughter and disposal, excepted. Any person or persons violating the provisions of this section shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding three months, or by both.

Section 8. When cattle shipped from Maine to the guarantine station at Brighton, Massachusetts, are subjected to 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 will so state in writing within twenty 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 the 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 the 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 fifty 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 post-office address, place and date of shipment, price paid for such animal, name of the person from whom said animal was purchased 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 received for such sale shall be deducted from the appraised value due the owner of the condemned animal.

Section 9. Any person or persons bringing horses into the state of Maine intended for sale shall notify the live stock sanitary commissioner within forty-eight hours after their arrival, who shall at once cause the same to be tested with mallein for glanders at the expense of the owner, and if any are found diseased, no compensation shall be allowed. Provided, however, if the purchaser so desires he can have them tested in the state where they are bought under the direction of the authority of that state. The test shall be forwarded to the live stock sanitary commissioner who may, if satisfied therewith, waive any further tests under the provisions hereof. Provided, further, that no appraised value shall

exceed one hundred dollars for any horse condemned. Whoever violates any of the provisions of this section shall be punished by a fine as provided in section sixteen.

SECTION 10. Such sum as may be deemed necessary by the live stock sanitary commissioner shall be used from their appropriation for the purpose of vaccination of cattle against tuberculosis, under the rules and regulations as shall be made for the control of such work.

SECTION 11. Cattle used for dairy purposes or for breeding purposes, that are to be shown in competition for prizes, in any state agricultural shows, Bangor, Waterville and Lewiston, shall be tested with tuberculin, within twelve months of the opening date of the exhibition where they are to be shown. Such test shall be made under the direction of the live stock sanitary commissioner, who shall furnish a certificate of such test, to the owner or owners of such animals. State agricultural associations who receive any aid from the state, shall demand a certificate of test, duly authorized by the live stock sanitary commissioner from owners of cattle that are to compete for prizes in accordance with the above, under penalty of forfeiture of such aid; calves under one year excepted.

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, they employ regular skilled veterinaries, who shall regulate the way and manner in which the test shall be applied and shall not be held responsible for any private test made.

Section 13. There shall be left with the owner of all condemned animals a proper certificate, duly authenticated, showing the number condemned and the value at which they are appraised, which shall be transferable only with the consent and acceptance of the commissioner.

Section 14. That the live stock sanitary commissioner shall thoroughly disinfect all stables and premises where condemned animals were found or cause the same to be done by a competent agent in the employ of such commissioner and the expense incurred on account of such disinfectant one-half shall be paid from the appropriation allowed for the use of such commissioner and one-half by owner or person in control of such stable and premises.

Section 15. That it shall be the duty of the assessors of all cities, towns and plantations, to keep a record of all pure blood cattle kept for breeding purposes, and to make a report of the same to the live stock sanitary commissioner on or before the first day of July of each year, showing the name of the owner, number in the herd, age and sex; such reports to be made upon blanks furnished by the live stock sanitary commissioner.

Section 16. That all persons selling pure blood cattle, or cattle represented to be pure blooded, for breeding purposes, shall before delivery, make a report to the live stock sanitary commissioner, upon

blanks furnished by them upon application, stating the number of cattle sold, the age and sex and to whom sold, and before delivery thereof, such cattle shall be tested with tuberculin under the direction of, and a certificate of health given by the live stock sanitary commissioner, unless such a test has been carried out under the direction within one year; calves under one year excepted. Such certificate of health shall be delivered to the buyer by the seller. Whoever violates any provisions of this section, shall be punished by a fine not less than twenty-five dollars or more than fifty dollars for each offense.

Section 17. That no neat stock (calves, cows, steers, oxen or bulls), or stags of any age, shall be allowed to enter the state of Maine, from any other state or country, neither for dairying purposes, breeding purposes nor for slaughter, (except cattle in transit under the control of the federal government) without a permit duly authorized by the live stock sanitary commissioner, said permit to accompany the shipment. Such animals shall be tested with tuberculin within thirty days of arrival, regardless of any other test made, and shall be held in quarantine upon premises of the owner, until released by the live stock sanitary commissioner. Whoever violates any provisions of this section shall be punished by a fine as provided in section sixteen.

Section 18. It shall be the duty of the several county attorneys, to prosecute all violations of this act, which shall be brought to their notice or knowledge by any person making the complaint under oath; and the same shall be heard in any supreme judicial court having jurisdiction in the county in which the violation of this act has been committed.

Section 19. That the live stock sanitary commissioner shall make and preserve a full record of all rules and regulations promulgated under the provisions of this act, and all payments and expenses hereunder incurred, and all other transactions performed by him, in the discharge of his duties as herein provided; and he shall on or before the first Wednesday in January, of each year, under his continuance in service, and at other times as he may deem conducive to the public interest, or as he may be required so to do by the governor of the state, report to said governor, full and accurate accounts of his expenditures and other proceedings under the provisions of this act, and of the condition of said disease, if any in the state, to be communicated by him to the legislature. Whenever the functions of said live stock sanitary commissioner shall be suspended or terminated, he shall turn over to the secretary of state, all of his books, papers, records, and other effects, taking his receipt therefor and he shall remain the custodian of the same until such time as the functions of said live stock sanitary commissioner may be restored.

Section 20. That the live stock sanitary commissioner shall have power and is hereby authorized to employ skilled veterinarians in all tuberculin tests and such other agents and employees as they may deem

necessary to carry into effect the provisions of this act, and to fix the compensation of the person or persons so employed, and to terminate such employment at his discretion; and he is authorized out of the moneys by this act appropriated to make such expenditures as may be needed for the actual and necessary traveling expenses of himself and said employees, stationery, expense of disinfecting the premises, cars and other places, destroying diseased and exposed animals, and paying for the same and such other expenses and expenditures that he may find to be actually necessary to properly carry into effect the provisions of this act.

Section 21. That the moneys appropriated by this act shall be paid by the treasurer of the state of Maine upon requisition, upon vouchers approved by said live stock sanitary commissioner. The said live stock sanitary commissioner before entering upon his duties of the office, shall take an oath to faithfully discharge the duties of said commissioner, and shall enter upon a bond with the state of Maine, with sureties to be approved by the governor and council in such a sum as they may designate, for the faithful performing and discharging of all duties devolving upon said commissioner under the provisions of this act.

SECTION 22. That for the purpose of carrying into effect the provisions of this act the sum of twenty-five thousand dollars for the year nineteen hundred and eleven, and a like amount for the year nineteen hundred and twelve, or as much thereof as may be necessary, together with all moneys received or that may be received from the sale of hides and carcasses of condemned animals, is hereby appropriated out of all moneys in the treasury not otherwise appropriated.

SECTION 23. Chapter nineteen of the revised statutes of nineteen hundred and three, together with chapter one hundred and thirty-three of the public laws of nineteen hundred and nine are hereby repealed.

All acts and parts of acts inconsistent herewith are hereby repealed.

Section 24. This act shall take effect May first, nineteen hundred and eleven.

RULES MADE BY AUTHORITY OF SECTION 3, CHAPTER 195 OF THE PUBLIC LAWS OF 1911.

RULE 1. When it shall appear to the State Live Stock Sanitary Commissioner that any contagious disease exists in a herd of cattle in this State, then "quarantine" shall be declared upon such herd and its products, by authority of Chapter 195 of the Public Laws of 1911, in the following manner:

The barn or stable where such animals are now kept, is declared to be a quarantine station, from which no animal shall be allowed to depart, nor shall any animal be allowed to enter, nor shall any animal be placed with the herd or exposed to contact in any manner with the herd under penalty as provided in Chapter 195 of the Public Laws of 1011, and proper notice shall be posted on barn or stable when animals are kept in quarantine.

Said notice shall be served upon the party or parties named in the above notice, by any civil officer, and his return shall be made thereon to the Commissioner ordering the quarantine.

RULE 2. The following rule is hereby made by authority of Chapter 195 of the Public Laws of 1911: That the Live Stock Sanitary Commissioner shall in his judgment dispose of cattle reacting to the tuberculin test by destroying and burying or disposing of the carcasses by the proper authority for tankage, and if he considers it advisable to have any reacting cattle killed and inspected by a post mortem held by the United States Inspector under the rules of the United States Meat Inspection, that such cattle may be disposed of by a ruling of said United States Inspector.

Approved by me this 10th day of June, 1911.

FREDERICK W. PLAISTED, Governor of Maine.

J. P. BUCKLEY,

V. W. CARLL,

Commissioner of Agriculture.

Live Stock Sanitary Commissioner.

- RULE 3. When animals are to be tested for tuberculosis a physical examination of each animal shall first be made. When other than normal conditions are noted about an animal, record should be made of the same. Tuberculin should then be used according to directions given on test sheets furnished by the State of Maine Department of Agriculture.
- RULE 4. Without the approval of the owner, no cow should be tested with tuberculin within sixty days of calving, or until thirty days after calving.
- RULE 5. The expense of all tuberculin tests must be paid by the owners of cattle.
- RULE 6. The Live Stock Sanitary Commissioner does not deem it advisable for the State to pay for the vaccination of cattle against tuberculosis, as it is yet in its experimental stages.
- RULE 7. The State will not pay for cattle that die without being tested with tuberculin, unless, on physical examination by some reliable veterinarian, they are condemned before they die.
- RULE 8. Cattle killed for beef and found to be diseased with tuberculosis will be paid for only when reported to the Department of Agriculture, on blanks furnished by said Department, filled out in full and sworn to before a Justice of the Peace.
- Rule 9. Veterinarians making tests on animals, with mallein or tuberculin, must report to the Live Stock Sanitary Commissioner, within twenty-four hours after tests are completed, on proper sheets furnished by the Department of Agriculture, giving result of test. And shall tag all cattle tested, with ear tags, record numbers on test sheet, and tag all reacting cattle with ear tags marked "condemned."

Approved by me this 16th day of August, 1911.

FREDERICK W. PLAISTED, Governor of Mainc.

J. P. BUCKLEY,

V. W. CARLL,

Commissioner of Agriculture.

Live Stock Sanitary Commissioner.

RULE 10. That no horse or horses shall be allowed to enter the State of Maine from any other state or country without a permit duly authorized by the Maine Department of Agriculture, said permit to accompany the shipment of said horse or horses on entering the State.

Approved by me this 30th day of November, 1912.

FREDERICK W. PLAISTED, Governor of Maine.

J. P. BUCKLEY, Commissioner of Agriculture V. W. CARLL,

Commissioner of Agriculture. Live Stock Sanitary Commissioner.