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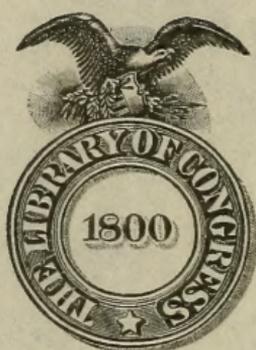
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THE LAWS AND RULES AND REG-
ULATIONS GOVERNING LIVE STOCK
CONTROL WORK IN TENNESSEE.

1912.



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1912

STATE OF TENNESSEE
DEPARTMENT OF AGRICULTURE,
STATE CAPITOL
NASHVILLE

THE LAWS AND
RULES AND REGULATIONS
GOVERNING

Live Stock Sanitary Control Work in Tennessee



THOS. F. PECK,
Commissioner of Agriculture
GEO. R. WHITE, M. D., D. V. S.,
State Live Stock Inspector

APRIL 5, 1912

1912
FOSTER & PARKES CO.
Nashville

DEC 10 1912

STATE OF TENNESSEE
DEPARTMENT OF AGRICULTURE,
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THE LAWS AND
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Tennessee, Laws, Statutes, etc.

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A BILL

To be Entitled "An Act to Prevent the Spread of Communicable Diseases Among Domestic Animals in the State of Tennessee, and to Provide Greater Protection to the Livestock Industry of the State and to Provide Penalties for the Violation of this Act, and to Repeal Chapter 424 of the Acts of 1899, and to Amend Chapter 46 of the Acts of 1897."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of the owner or person in charge of any domestic animal or animals, who discovers, suspects or has reason to believe that such animal or animals as aforesaid are afflicted with any communicable disease, to immediately report the fact, belief or suspicion to the County Board of Health of the county in which said domestic animal or animals are found.

SECTION 2. *Be it further enacted*, That it shall be the duty of the Commissioner of Agriculture and State Live Stock Inspector to cooperate with the officials of the Federal Government and with those of other States in establishing interstate quarantine lines and in enforcing such rules and regulations as shall best protect all live stock industry of the State against splenic or Texas fever.

SECTION 3. *Be it further enacted*, That the County Board of Health of each county, whenever any case or cases of communicable disease among the domestic animals of their county is reported to exist, shall immediately cause the same to be investigated, preferably by a qualified veterinarian, and, should such investigation show a reasonable probability that such animal or animals are affected with a communicable disease, the said County Board of Health shall immediately establish such temporary quarantine as may be necessary, in their judgment, to prevent the spread of disease, and shall, without delay, report all action taken to the State Live Stock Inspector, and the acts of the said County Board of Health establishing said temporary quarantine shall have the same force and effect as though established by the Commissioner of Agriculture and the State Live Stock Inspector, until such time as they shall take charge of the case or cases, and the County Boards of Health of every county in the State shall adopt and enforce such rules and regulations as said Commissioner of Agriculture and State Live Stock Inspector may prescribe, having for their object the prevention and restriction of splenic or Texas fever, or any other communicable disease among domestic animals which may be either threatened or developed in such localities; and all expenses incurred by the County Board of Health in carrying out the provisions of this Act shall be a county charge, and shall be paid in like manner as other expenses of the county now are.

SECTION 4. *Be it further enacted*, That any person, firm or corporation, who shall knowingly import or introduce any cattle or other domestic animal into the State of Tennessee from any district south of the quarantine line as established, or as may be established by the Secretary of the United States

Department of Agriculture or Congress, which is affected with splenetic or "Texas fever," or which bears upon its or their body or bodies fever ticks (*boophilus bovis*) or other causes of said diseases, unless such cattle so introduced or imported are immediately slaughtered, or are brought into the State in conformity with such rules and regulations as may be prescribed by the Commissioner of Agriculture and State Live Stock Inspector, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any amount not less than five hundred dollars nor more than five thousand dollars, or confined in the county jail for not less than one nor more than three years in the discretion of the court.

SECTION 5. *Be it further enacted*, That any person who owns or is in possession of live stock reported, or suspected, to be affected with any communicable disease or with insects which may produce such disease, who shall refuse to allow said County Board of Health, or any one acting under its orders, or the State Live Stock Inspector, or any one acting under his orders, to examine such stock, or who shall hinder or obstruct any of them in any examination of or in any attempt to examine such stock, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than fifty dollars nor more than two hundred dollars.

SECTION 6. *Be it further enacted*, That any person who shall have in his or her possession any domestic animal affected with any communicable disease or fever tick, knowing such animal to be affected, or who shall permit such animal or animals to run at large, or who shall keep such animal or animals where other domestic animals are not affected by or previously exposed to such communicable disease may be exposed to its contagion or infection; or who shall ship, drive, sell, traffic or give away such animal or animals which have been exposed to such infection or contagion; or who shall move or drive any domestic animal in violation of any direction, rule, regulation or order of said Commissioner of Agriculture or Live Stock Inspector, establishing and regulating live stock quarantine, or the restriction or spread of communicable diseases among domestic animals, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any amount not less than fifty dollars nor more than one hundred dollars for each of such exposed or diseased domestic animals which he or she shall permit to run at large, or sell, ship, drive, trade or give away, in violation of the provisions of this Act; provided, that any owner of domestic animals which have been affected with or exposed to any communicable disease may dispose of the same after having obtained from said Commissioner of Agriculture, or the Live Stock Inspector, or the State Veterinary Surgeon, a certificate of health for such animal or animals.

SECTION 7. *Be it further enacted*, That the Commissioner of Agriculture and the State Live Stock Inspector shall have the general supervision of all communicable diseases among domestic animals within or that may be in transit through the State, and they are empowered to establish quarantine against any animal or animals thus diseased, whether within or without the State, and may make such rules and regulations

against the spread and for the suppression of said disease or diseases as in their judgment may seem necessary and proper; and in the enforcement of such rules and regulations they shall have the power to call on any one or more of the peace officers, whose duty it shall be to give all the assistance in their power.

SECTION 8. *Be it further enacted*, That any person who willfully hinders, obstructs, or otherwise disregards or evades such quarantine as they may declare, or violate any rule or regulation they may make in attempting to stamp out or restrict the spread of any disease or diseases aforementioned, or who shall resist any peace officer acting under them, or either of them, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty dollars (\$50), nor more than five hundred dollars (\$500), or imprisoned in the county jail for a period of three months, or both at the discretion of the court.

SECTION 9. *Be it further enacted*, That in the event of any communicable disease aforesaid breaking out, or being reasonably suspected to exist in any locality in this State, it shall be the duty of the local health authorities, or persons owning or having any interest whatever in said animals, immediately to notify the said Live Stock Inspector of the fact, when he shall institute such measures for the restriction or stamping out of such disease or diseases as he may think necessary. Any person or persons specified, who shall neglect or refuse to notify said Live Stock Inspector of the existence of any communicable disease as aforementioned, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than ten dollars (\$10), or confined in the county jail not exceeding two months, or both, at the discretion of the court.

SECTION 10. *Be it further enacted*, That whenever, in the opinion of the State Live Stock Inspector, the public safety demands the destruction of any animal or animals, under the provisions of this Act, he shall, before ordering the killing or slaughtering of the same, appoint three (3) competent and disinterested freeholders, who shall be affirmed or sworn before proceeding to act, and they shall make a just and true valuation of said animal or animals to be so killed or slaughtered, and in valuing shall consider the health and condition of the animals when killed, and they shall make and deliver a written certificate setting forth all the essential facts in the case to the lawful owner, who shall present the same for payment to the Chairman of the **County Court of the county** in which such animal or animals are so killed or slaughtered, and the same shall constitute a county charge, to be paid as other claims against the county are.

SECTION 11. *Be it further enacted*, That any person or persons who knowingly shall import or bring into this State any animal or animals affected with pleuro-pneumonia, rinderpest, glanders, or any other communicable disease, or who shall sell or trade, or offer for sale or trade, any animal or animals so diseased, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than one hundred dollars (\$100), or imprisoned in the county jail for a period not exceeding three (3) months, or both, in the discretion of the court.

SECTION 12. *Be it further enacted*, That the Governor of the State, with the Commissioner of Agriculture and the State Live Stock Inspector, may cooperate with the Government of the United States for carrying out the purposes of this Act, and the Governor is hereby authorized to receive and receipt for any moneys receivable by this State, under the provisions of any act of Congress which may at any time be in force upon this subject, and to pay the same into the State Treasury to be used according to the act of Congress and the provisions of this Act, as nearly as practicable.

SECTION 13. *Be it further enacted*, That there may be appointed by the County Board of Health of each county in the State a competent person to be known as County Live Stock Inspector, and whose appointment shall be ratified or rejected at the first term of the Quarterly Court following appointment, whose duty it shall be to look after the detection and suppression of communicable diseases among domestic animals in his county, and whose compensation shall be fixed by the County Court of his county and paid out of the county treasury.

SECTION 14. *Be it further enacted*, That the Commissioner of Agriculture and the State Live Stock Inspector may, when they see proper, employ a competent veterinary surgeon, who shall work under their direction and supervision, and whose compensation shall not exceed the appropriation made for him by law, and who may at any time be discharged by said Commissioner and Inspector.

SECTION 15. *Be it further enacted*, That Chapter 424 of the Acts of 1899 entitled, "An Act to amend an Act passed March 24, 1897, and approved March 26, 1897, entitled, an 'Act to Reorganize the State Board of Health of the State of Tennessee,'" be and is hereby repealed.

SECTION 16. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 19, 1901.

NEWTON H. WHITE,
Speaker of the Senate.

E. B. WILSON,
Speaker of the House.

Approved April 20, 1901.

BENTON McMILLIN,
Governor.

A BILL to be Entitled "An Act to Amend an Act Entitled 'An Act to Prevent the Spread of Communicable Disease Among Domestic Animals in the State of Tennessee,' and to Provide Greater Protection to the Live Stock Industry of the State, and to Provide Penalties for the Violation of this Act, and to Repeal Chapter 424 of the Acts of 1899, and to Amend Chapter 156 of the Acts of 1901, Passed April 19, 1901."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 4 of Chapter 156 of the Acts of 1901 be hereby amended so as to read as follows:

Be it enacted, That any person, firm or corporation who shall knowingly import or introduce any cattle or other domestic animals into the State of Tennessee from any district east, south or west of the State of Tennessee, or across any quarantine line as established, or which may be established by the Secretary of the United States Department of Agriculture or Congress, which are affected with splenetic or so-called Texas fever, or who shall import or introduce any cattle or other domestic animals which may bear upon its or their body or bodies fever ticks (*boophilus annulatus*) or other causes of said diseases, unless such cattle or other domestic animals are brought into the State in conformity with such rules and regulations as may be prescribed by the Commissioner of Agriculture and State Live Stock Inspector, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in any amount not less than one hundred dollars (\$100) nor more than five thousand dollars (\$5,000) or confined in the county jail for not less than one nor more than three years, in the discretion of the court.

SECTION 2. *Be it further enacted*, That Section 12 of said Chapter 156 of the Acts of 1901, be amended so as to read as follows:

And be it further enacted, That there may be appointed by the County Board of Health of each county in the State a competent person or persons to be known as County Live Stock Inspectors, whose duty it shall be to look after the detection and suppression of communicable diseases among domestic animals, in his or their county, and whose compensation as fixed by the said County Board of Health shall be paid out of the county treasury, until such appointments shall be ratified or rejected at the first term of the Quarterly Court following appointment, at which Quarterly Court the compensation of such County Live Stock Inspectors shall be fixed by the County Court, and paid out of the county treasury; provided, that said County Live Stock Inspectors shall not be a member of the County Court or the County Board of Health.

SECTION 3. *And be it further enacted*, That Section 13 of said Chapter 156 of the Acts of 1901 be amended so as to read as follows:

And be it further enacted, That the Governor of the State, with the Commissioner of Agriculture and State Live Stock Inspector, may cooperate with the Government of the United States for carrying out the purposes of this Act; and the said Commissioner of Agriculture and State Live Stock Inspector

may appoint in writing any inspector or employe of the United States Department of Agriculture as State Inspectors of Live Stock, in enforcing the provisions of this Act, in any county of this State, when in their judgment it may be proper or necessary, who shall have and may exercise the powers of County Live Stock Inspectors, and shall be authorized and empowered, as also the said County Live Stock Inspector, to enter premises to inspect live stock and to enforce the quarantine of counties, districts, farms and town lots, and to control the movement of live stock therefrom; and all such inspectors of live stock and the local county inspectors are hereby authorized and empowered to quarantine and to enforce such disinfection of animals and premises as may be found necessary. "But all inspectors and employes of the United States Department of Agriculture shall not be paid for their services by the State of Tennessee, or any county of this State. And the Governor is hereby authorized to receive and receipt for any moneys receivable by this State under the provisions of any act of Congress, which may at any time be in force upon this subject, and to pay the same into the State Treasury, to be used according to an act of Congress and the provisions of this Act as nearly as possible."

SECTION 4. *And be it further enacted*, That cattle or other live stock may be moved from a quarantine county or districts in this State into any other non-quarantined counties or districts under and in compliance with the rules and regulations which may be prescribed and promulgated by the Commissioner of Agriculture and the State Live Stock Inspector, but it shall be unlawful to move, or to allow to be moved, any cattle or other live stock from any quarantined county or district in this State into any non-quarantined county or district in violation of the rules and regulations prescribed and promulgated by the said Commissioner of Agriculture and State Live Stock Inspector, and any person, company or corporation violating the provisions of this section shall be punished by a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500).

SECTION 5. *Be it further enacted*, That the several judges of the Circuit and Criminal Courts of this State shall give the Act passed April 19, 1901, and this Act amendatory thereto, in special charge to each future grand jury impaneled in this State, and that each such grand jury shall be clothed with, and authorized to exercise, inquisitorial power for the carrying out and enforcement of this Act, and the original Act to which this Act is amendatory.

SECTION 6. *Be it further enacted*, That all laws and parts of laws inconsistent with or repugnant to this Act which have been heretofore in force in this State are hereby repealed.

SECTION 7. *And be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it. Passed February 8, 1907.

JOHN T. CUNNINGHAM, JR.,

Speaker of the House of Representatives.

E. G. TOLLETT, *Speaker of the Senate.*

Approved February 14, 1907.

MALCOLM R. PATTERSON, *Governor.*

CHAPTER 216.

HOUSE BILL No. 291.

AN ACT to be entitled an Act to Aid in the Prevention and Eradication of Communicable Diseases Among Domestic Animals.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter any State Inspector of Live Stock or County Live Stock Inspector is authorized to give legal or written notice to any person, firm, or corporation owning, possessing, or controlling any live stock which may be found infected with cattle ticks, known as the "Southern" or "Texas fever ticks" (*margaropus annulatus*), to disinfect the same, or have the same disinfected, within fifteen days from the service of such notice; and if any person, firm, or corporation shall refuse or neglect for fifteen days from the service of such notice to disinfect such animals or live stock, as such written notice may specify, the said person, firm, or corporation shall be guilty of a misdemeanor, and shall be liable to a fine of not less than fifty dollars (\$50) nor more than two hundred dollars (\$200). But if any person is brought before a Justice of the Peace for such misdemeanor, on the complaint of a State Inspector of Live Stock or a County Live Stock Inspector, such person may plead guilty, whereupon the Justice shall hear the evidence and fine the offender according to the aggravation of his offense, not less than five dollars nor more than fifty dollars, together with all cost, and payment of such fine and cost shall bar any further punishment for the same offense.

SECTION 2. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed April 22, 1909.

M. HILLSMAN TAYLOR,
Speaker of the House of Representatives.
WILLIAM KINNEY,
Speaker of the Senate.

Approved April 24, 1909.

MALCOLM R. PATTERSON,
Governor.

A true copy. Attest:

HALLUM W. GOODLOE,
Secretary of State.

CHAPTER 475.

HOUSE BILL No. 189.

(By Mr. Webb.)

AN ACT to Protect the Health of Domestic Animals in the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the importation of dairy cows and meat cattle for breeding purposes into the State of Tennessee is hereby prohibited, except in cases where such cows and meat cattle are accompanied by a certificate from a competent inspector, whose competency and reliability is duly certified by the authorities of the State whence such cattle come, whose duty it is to control the diseases of domestic animals in such State, which certificate shall show that such cattle have been examined and subjected to the tuberculin tests and are free from disease.

SECTION 2. *Be it further enacted*, That in the event such cattle are imported without such certificate as above required, they may be detained by any public officer of this State at suitable stock yards as near the State line as practicable on the railroad over which they may be shipped, and there subjected to tuberculin tests at the expense of the owner under the direction of the State Department of Agriculture, or such cattle may, under restrictions provided by said Department of Agriculture, be shipped in quarantine to their destination in Tennessee, and there remain in quarantine until properly examined at the expense of the owner and released by order of the Department of Agriculture.

SECTION 3. *Be it further enacted*, That the State Department of Agriculture be, and is hereby, authorized and empowered to prohibit the importation of domestic animals into the State of Tennessee whenever, in their judgment, such measure is necessary to properly protect the health of domestic animals in Tennessee, and to make and enforce rules and regulations for the prevention of diseases among such animals as may from time to time be required.

SECTION 4. *Be it further enacted*, That any person, firm or corporation guilty of violating the provisions of this Act or failing or refusing to comply with the requirements hereof shall be fined not less than fifty nor more than one hundred dollars for each offense, and may be imprisoned, in the discretion of the court, not less than ten nor more than thirty days, and shall be liable to any person injured on account of such violation to the full amount of the damages and all costs.

SECTION 5. *Be it further enacted*, That the State Department of Agriculture is hereby charged with the enforcement of this Act, and may invoke the aid of any Sheriff or Constable of this State with reference thereto.

SECTION 6. *Be it further enacted*, That this Act take effect from and after May 1, 1909, the public welfare requiring it.

Passed April 27, 1909.

M. HILLSMAN TAYLOR,

Speaker of the House of Representatives.

WILLIAM KINNEY,

Speaker of the Senate.

Approved April 30, 1909.

MALCOLM R. PATTERSON, *Governor.*

DEPARTMENT OF AGRICULTURE.

STATE OF TENNESSEE.

Cattle Quarantine Rules and Regulations promulgated by the Commissioner of Agriculture and the State Live Stock Inspector, under authority conferred by the Acts of Tennessee, 1901, 1907 and 1909, to eradicate and prevent the further spread of Splenetic, Southern, or Texas Fever.

EFFECTIVE ON AND AFTER APRIL 5, 1912.

SECTION 1. The fact has been determined by the Commissioner of Agriculture and the State Live Stock Inspector, and notice is hereby given that a contagious and infectious disease known as Splenetic, Southern, or Texas Fever exists among cattle in the following named counties of Tennessee, all of which are quarantined for Splenetic, Southern, or Texas Fever: CHESTER, HARDIN and M'NAIRY.

Now, therefore, we, T. F. Peck, Commissioner of Agriculture, and G. R. White, State Live Stock Inspector, do hereby quarantine the counties described in Section 1, and it is hereby ordered that no cattle shall be transported, driven or allowed to drift therefrom, for any purpose, to any portion of Tennessee not herein quarantined; neither shall they be transported, driven or allowed to drift from any of the above mentioned counties into any other county mentioned in Section 1.

It is further ordered that no person owning or having in charge any cattle, shall move or permit them to be moved, or allow them to run at large, or stray on any public road, common or range, in any quarantine county described in Section 1.

SECTION 2. Notice is hereby given that a contagious and infectious disease, known as Splenetic, Southern, or Texas Fever exists among cattle in the following named counties and parts of counties in Tennessee: HENDERSON, DECATUR, WAYNE, that part of POLK COUNTY south of a line beginning at the point where the Hiwassee River crosses the Tennessee-North Carolina State line, thence following said river to a point near Reliance, Tennessee, where said river is crossed by the Louisville & Nashville Railroad, thence following said railroad southerly to the Tennessee-Georgia interstate line near Copper Hill, Tennessee. That part of HAMILTON COUNTY south and east of the Tennessee River. That part of HARDEMAN COUNTY east of the Illinois Central Railroad. That part of MARION COUNTY south and east of the Tennessee River.

Now, therefore, we, T. F. Peck, Commissioner of Agriculture, and G. R. White, State Live Stock Inspector, do hereby quarantine the counties and parts of counties as described in Section 2, and it is hereby ordered that no cattle shall be transported, driven or allowed to drift therefrom, to any portion of Tennessee not herein quarantined, unless the owner or person in charge shall first obtain written permission for such movement or privilege from a duly sworn, authorized State Live Stock Inspector, and only then for immediate slaughter, provided the cattle on inspection are found to be free from ticks, or unless shipment is made in accordance with the provisions of regulation 9, and,

It is further ordered that no persons owning or having in charge any cattle, shall permit them to run at large or stray

on any public road, common or range in any quarantine county described in Section 2, unless the owner or person in charge shall regularly disinfect cattle in accordance with instructions given by the State Live Stock Inspector, and shall first obtain written permission for such movement or privilege from a duly authorized State Live Stock Inspector.

SECTION 3. Further notice is hereby given that a contagious and infectious disease known as Splenic, Southern, or Texas Fever exists under control, among cattle in the following named parts of counties of Tennessee: That part of LAWRENCE COUNTY included within the first and second civil districts of that county. That part of BENTON COUNTY west of the Camden-Coxburg and Sugar Tree public road, and south of the Nashville, Chattanooga & St. Louis Railway from its intersection with the said public road at Camden to the Decatur County line. That part of CARROLL COUNTY south of Mackey's Bridge and Levee Road and east of the Big Sandy River to the Henderson County line.

Now, therefore, we, T. F. Peck, Commissioner of Agriculture, and G. R. White, State Live Stock Inspector, do hereby quarantine the parts of counties mentioned in Section 3, and it is hereby ordered that cattle may be moved therefrom for any purpose, providing such cattle are inspected, found free of tick infestation and exposure thereto, and a written permit for such movement given by a State Live Stock Inspector.

It is further ordered that no person owning or having in charge any cattle shall move or permit them to move or shall permit them to run at large or stray on any public road, common or range in any area quarantined and described in Section 3, unless the owner or person in charge shall regularly disinfect cattle in accordance with instructions given by the State Live Stock Inspector, and shall first obtain written permission for such movement or privilege from a duly authorized State Live Stock Inspector.

SECTION 4. State Live Stock Inspectors and County Live Stock Inspectors shall issue a written or printed quarantine notice to any person or persons in any county in the State of Tennessee owning or having in his or her possession or charge any cattle, horses or mules infested with cattle ticks or exposed to such infestation, whenever such fact shall come to their notice.

No person owning or having in charge any cattle, horses, mules or other domestic animals, nor any other person shall move them or any of them, or allow them or any of them to be moved from the farm, field or inclosure in which they are quarantined to any other place except on written permission from a duly authorized State Live Stock Inspector.

SECTION 5. In the counties of Tennessee in which the work of tick eradication is being regularly conducted, and in which all cattle are being handled in accordance with the Laws and Rules and Regulations of the Commissioner of Agriculture and the State Live Stock Inspector governing the control and extermination of contagious, infectious and communicable diseases of live stock, the following regulation will apply:

SECTION 6. Cattle that have been dipped regularly every two weeks for three months in arsenical solution under the

supervision of a County, State or Federal Live Stock Inspector, and on inspection are found free from ticks, may be furnished with a certificate signed jointly by the State Live Stock Inspector and an Inspector of the Bureau of Animal Industry, entitling the owner of the cattle so certified to drive them over the public road to the railroad dipping vat, in which they must again be dipped in arsenical solution, under the supervision of a Bureau Inspector, in a dipping vat, approved by the U. S. Secretary of Agriculture, which is located in connection with the stock pens, so that after dipping they may be handled only through non-infected pens and chutes, into clean and disinfected cars, after which they may be shipped into the free area, in accordance with the regulations of the U. S. Secretary of Agriculture for purposes other than immediate slaughter.

SECTION 7. No person, company or corporation within the area quarantined, as described in Sections 1 and 2, shall receive for transportation in any manner any cattle unless permission is first obtained from the State Live Stock Inspector. It is hereby ordered that transportation companies securely lock the gates of all stock yards, stock pens and loading chutes, and that all boats refuse for transportation all cattle and not permit cattle to be placed in such yards, pens or chutes, or on such boats in any manner, unless permission is first obtained from the State Live Stock Inspector.

SECTION 8. It is hereby ordered that cattle originating in any area quarantined on account of the existence of Southern, or Texas Fever, outside of the State of Tennessee, shall not at any time be transported, driven or allowed to drift therefrom into any portion of this State except for immediate slaughter as hereinafter provided.

SECTION 9. Cattle can only be shipped for immediate slaughter from the quarantined area of this State or of any other State quarantined on account of the existence of Southern or Texas fever to Chattanooga, Memphis, and Nashville, Tennessee, and when shipped to these points the following rules regarding their movement shall be observed:

(a) Cattle shall be free from ticks (*margaropus annulatus*), shall be shipped only by rail or boat, and the cars in which said cattle are shipped shall bear placards on each side stating that said cars contain Southern cattle, and the way-bills and other papers regarding the shipment shall be so marked.

(b) On arrival at destination, or when unloaded to be fed or watered, or for other purposes, such cattle shall be placed in pens plainly marked, "Quarantined Pens," and used only for Southern cattle. There shall be a space not less than 10 feet wide between such quarantine pens and pens used for cattle from the non-quarantined area, which space shall not be occupied by cattle and shall have on each side a tight board fence not less than 6 feet high.

(c) No car or boat containing a shipment of cattle of the quarantined area shall receive on board cattle which are not of the quarantined area; neither shall shipments of cattle of the quarantined area be made to points in the non-quarantined portion of this State where proper facilities have not

been provided for transferring the said cattle from the cars or landing in the stock yards or slaughter houses, without passing them over public highways.

(d) The cars and boats used to transport such cattle, and also the chutes, alleyways and pens not reserved for the exclusive use of such cattle, shall be cleaned and disinfected in the following manner: As soon as possible after unloading, and before they are again used to store or shelter animals or merchandise, remove all litter and manure. This litter and manure may be burned or may be disinfected by mixing it with lime or saturating it with a 5 per cent solution of 100 per cent carbolic acid; wash the interior surface of the cars and the watering and feeding troughs with water until clean; saturate the entire interior surface of the cars, including the inner surface of the car doors, and the feeding troughs, chutes and floors of the pens with a mixture made with $1\frac{1}{2}$ pounds of lime and $\frac{1}{4}$ pound of 100 per cent carbolic acid to each gallon of water, or with a solution made by dissolving four ounces of chloride of lime to each gallon of water.

SECTION 10. In order to prevent the spread and dissemination of Splenetic or Southern cattle fever by any estray cattle, horses or mules, in any quarantined county or district in this State, it is ordered under authority conferred upon the Commissioner of Agriculture and the State Live Stock Inspector, that any such animal may at any time be taken up by a duly authorized Inspector of Live Stock as an estray, and it shall be the duty of said Inspector of Live Stock, who may become the taker up of such animal, to have the same properly disinfected and cared for, and within five days he shall have each such animal valued and appraised by two freeholders, or householders, and the appraisers shall forthwith make out a certificate, setting forth the name and address of the taker up, and that the animal was taken up and under and by virtue of this order, and particular description of the estray, its color, age, natural and artificial marks and brands, etc., and also its value; and having signed the same and sworn to it before a magistrate, they shall deliver it to said inspector and taker up, and said inspector and taker up shall forthwith publish in some newspaper, published in the same county, if there be one, for three weeks successively, and if not, in some newspaper published nearest the place where said estray is taken up; and the subject and facts of such certificate, giving notice to the owner to come forward, prove property and pay all legal charges; and after due publication the inspector and taker up shall, within three weeks, proceed to sell the said animal at public outcry to the highest bidder, after advertising the time and place of sale for at least two weeks by an advertisement, put up in the courthouse of said county, and out of the proceeds of said sale he shall pay all the just charges of apprehending said animal, and for the care and disinfection, and all charges for the fees of the appraisers and the cost of publication; and all the money arising from such sale, after paying the just cost and expenses, as above set forth, shall be paid into the county treasury and held for reclamation by true owner of the animal, upon satisfactory proof of property by one or more disinterested witnesses.

SECTION 11. No person owning or having in charge any cattle infested with cattle ticks (*margaropus annulatus*) shall fail to disinfect all of the cattle of the herd within fifteen days after being notified to do so by any State or County Inspector of Live Stock. The word disinfection as here used means that every external part of the animal shall be thoroughly covered, rubbed, sprayed, washed or dipped with arsenical solution, or such approved tick destroyer as specified in disinfection notice of the Inspector.

SECTION 12. Horses and mules infested with ticks (*margaropus annulatus*) within the State shall be treated or moved in accordance with the regulations governing the movement of tick-infested cattle.

SECTION 13. It is hereby ordered that horses and mules originating in a quarantined area, quarantined on account of the existence of Southern, Splenetic or Texas Fever, outside of the State of Tennessee, shall not at any time be transported, driven or allowed to drift therefrom into any portion of this State, unless they are dipped in a standard arsenical solution either at point of origin, en route, or on arrival at destination.

SECTION 14. In order to duly carry out the provisions of these rules and regulations, such employees of the United States Bureau of Animal Industry as may be designated by the Chief of said Bureau, may be appointed by the Commissioner of Agriculture and the State Live Stock Inspector, with power to quarantine and enforce such disinfection of animals and of premises as may be found necessary as provided for in Section 3, House Bill 91, Acts of Tennessee, 1907.

SECTION 15. The annual regulations and amendments thereof of the United States Department of Agriculture concerning interstate transportation of live stock are hereby adopted as a portion of these regulations.

SECTION 16. Cattle of the quarantine area, or other cattle exposed to or infested with ticks, in counties in which the work of tick eradication is being conducted, which have been properly dipped twice—seven to ten days apart—in arsenical solution, under the supervision of an Inspector of the United States Bureau of Animal Industry for interstate shipment, and by State Inspectors on movement within the State, at all seasons of the year, which have been examined and certified to be free of infection by said Inspector, may be shipped to points outside of the quarantined area in the State of Tennessee at any time. Provided, that such cattle shall not be exposed to infection after the second dipping.

ARSENICAL SOLUTION.

In preparing each 500 gallons of the standard arsenical solution there shall be used ten pounds of finely powdered white arsenic containing not less than 99 per cent of arsenic trioxid, twenty-five pounds of sal soda, and one gallon of pine tar. The arsenic and sal soda shall be boiled together in not less than twenty-five gallons of water for fifteen minutes, or longer if necessary to effect complete solution of the arsenic. Before the pine tar is added the temperature of the solution shall be reduced to 140 degrees F. This may be done by the addition of cold water. The pine tar shall then be added in a small stream while the solution is thorough-

ly stirred, after which the solution shall be immediately diluted with clear water sufficient to make 500 gallons to dip. The tanks must be built under the supervision of an inspector of the United States Bureau of Animal Industry. The dip to be used must also have the approval of the United States Bureau of Animal Industry.

SECTION 17. The rules and regulations governing cattle quarantine and movement of same, dated May 1, 1911, are hereby revoked to take effect April 5, 1912, and after which date these regulations shall become effective until otherwise ordered.

Given under our hands and seal, at State Capitol, Nashville, Tennessee, this April 3, 1912.

(SEAL)

T. F. PECK,
Commissioner of Agriculture.
G. R. WHITE,
State Live Stock Inspector.

DEPARTMENT OF AGRICULTURE, STATE OF
TENNESSEE.

Rules and Regulations Promulgated by the Commissioner of Agriculture and the State Live Stock Inspector Under Authority Conferred by the Acts of Tennessee, 1901, 1907 and 1909.

EFFECTIVE ON AND AFTER APRIL 5, 1912.

The fact has been determined and notice is hereby given that the following dangerous and deadly diseases exist in Tennessee: SHEEP SCABIES, BOVINE TUBERCULOSIS, GLANDERS, BLACK LEG, HOG CHOLERA, COWPOX, JOHNE'S DISEASE, LUNG WORM, NODULAR DISEASE, STOMACH WORM and RABIES (hydrophobia).

Now, therefore, we, T. F. Peck, Commissioner of Agriculture, and G. R. White, State Live Stock Inspector, do pronounce and declare each and all of said diseases contagious, infectious and communicable, and we further declare them dangerous to the live stock industry of Tennessee. Acting under authority conferred upon us by law, we hereby promulgate the following Rules and Regulations for their prevention, control, suppression and eradication. All Rules and Regulations heretofore promulgated which are in conflict with these are hereby revoked:

**OFFERING OR RECEIVING DISEASED ANIMALS
FOR TRANSPORTATION OR TRANSPORT-
ING SAME.**

SECTION 18. No person, firm or corporation shall deliver for transportation, receive for transportation, transport, drive on foot, or otherwise remove from the premises where they are located, to any other place within the State, any cattle, swine, sheep, goats, horses or mules which are affected with black leg, anthrax, hog cholera, equine scabies, sheep scabies, lung worm, tuberculosis, cow pox, stomach worm, Johne's disease or any other infectious, contagious or communicable disease.

**SALE AND DISTRIBUTION OF VETERINARY BIO-
LOGICAL PRODUCTS IN TENNESSEE.**

SECTION 19. Before veterinary biological products of any character shall be sold, offered for sale or distributed in any manner in this State, the manufacturer or person, firm or corporation selling or distributing the same shall make application in writing to the State Live Stock Inspector for a permit to sell or distribute said veterinary biological products. Provided, however, that nothing in this section or the sections following shall prohibit or interfere with the United States Department of Agriculture, through its Bureau of Animal Industry, in distributing the veterinary biological products of its laboratories.

SECTION 20. The term Veterinary Biological Products as used in Section 19 shall be construed to mean TUBERCULIN, MALLEIN, ANTHRAX VACCINE, BLACK LEG VACCINE, HOG CHOLERA SERUM, TETANUS ANTITOXIN, INFLUENZA ANTITOXIN, ANTI-STREPTOCOCCIC SERUM, RABIES VACCINE VIRUS, and BACTERINS.

BOVINE TUBERCULOSIS.

SECTION 21. That the following shall constitute the minimum requirements for a tuberculin test which will be recognized by this department in the control and eradication of tuberculosis in Tennessee:

(a) At least two (2) temperature readings, three (3) hours apart, shall be made before injection of tuberculin.

(b) The subcutaneous injection of the required amount of any fresh tuberculin made by either the Federal Government or any reliable manufacturer of biological products.

(c) At least three (3) temperature readings on the 12th, 15th and 18th hour after the injection of the tuberculin must be made.

SECTION 22. Veterinarians making the tuberculin test in Tennessee shall fill out in triplicate a temperature chart on official blanks which will be furnished upon application to this department, one copy to be sent to the City Health Officer, one copy to the County Health Officer and one copy to the State Live Stock Inspector. Said veterinarian shall in all instances mail or deliver said reports within three days after the test is completed.

SECTION 23. No Ophthalgo, Cutaneous nor any other "freak test" will be recognized by this department.

SECTION 24. Veterinarians making the tuberculin test in Tennessee shall brand all reacting animals with the letter "T" on right jaw. The brand letter shall be at least three and one-half ($3\frac{1}{2}$) inches high, and the impression (with branding iron red hot) shall be made clear and distinct. Said veterinarian shall within twenty-four hours report all branded reacting animals to the County Health Officer of the county in which said animals are found. The County Health Officer shall notify the County Live Stock Inspector, who shall immediately visit the farm or premises and isolate and place in temporary quarantine all branded, reacting animals, and said animals shall be kept under official supervision until they are disposed of according to law, by appraisalment and slaughter.

SECTION 25. No person, firm or corporation shall deliver for transportation, receive for transportation, transport, drive on foot or otherwise remove from the premises where they are located, to any other place within this State, any cattle or swine which are affected with tuberculosis as disclosed by physical examination, or by the tuberculin test, or by any other means.

JOHNE'S DISEASE.

SECTION 26. All cattle affected with and premises upon which Johne's Disease is known to exist, or upon which it may hereafter develop, are hereby placed in quarantine for a period of twelve months from date of disposal of the last case. No cattle shall be removed therefrom without first obtaining permission in writing from the State Live Stock Inspector.

SECTION 27. The infested premises shall be cleansed and disinfected in such manner as the State Live Stock Inspector, Assistant State Live Stock Inspector or County Live Stock Inspector may direct, and all carcasses shall likewise be disposed of under their direction.

BLACK LEG.

SECTION 28. Black Leg infested farms shall be considered in quarantine until such time as the owner shall cause all cattle less than 2½ years old to be vaccinated with Black Leg Vaccine made by either the Federal Government or any reliable manufacturer of biological products. All cattle less than 2½ years old on a Black Leg infested farm must be vaccinated at least once every twelve months for three consecutive years before the farm will be considered free from Black Leg infection.

SECTION 29. Carcasses of animals which have died from Black Leg must in all instances be disposed of by burning to ashes.

HOG CHOLERA.

SECTION 30. That all public stock yards in the State are hereby placed in quarantine—as regards the handling of swine—and all persons, firms and corporations are prohibited from removing swine therefrom for any purpose other than immediate slaughter.

SECTION 31. Hogs infected with or exposed to Hog Cholera shall not run at large or be driven on ranges, commons or public roads; such hogs must be confined in strict quarantine. Carcasses of hogs that have died of cholera must be sent to a rendering tank, or must be deeply buried or completely burned.

COW POX.

SECTION 32. In dairy herds where Cow Pox develops the well animals must be isolated from the diseased ones, and special milkers must be provided for the affected cows.

SECTION 33. The farm or premises upon which Cow Pox develops is hereby quarantined for thirty days after the recovery of the last case, and no cattle shall be moved therefrom for any purpose until written permission is obtained for said removal from the State Live Stock Inspector.

LUNG WORM AND STOMACH WORM OF SHEEP.

SECTION 34. All sheep affected with either Lung Worm or Stomach Worm, or both, and all Lung Worm or Stomach Worm infested farms or premises, or farms or premises upon which either of these diseases may hereafter develop, are hereby quarantined until the disease or diseases are eradicated. No sheep shall be removed therefrom without first obtaining permission in writing from the State Live Stock Inspector, and then can be removed for no purpose other than immediate slaughter.

SECTION 35. All carcasses of sheep which die from Lung Worm and Stomach Worm disease shall be burned to ashes and the premises cleansed and disinfected in such manner as the State Live Stock Inspector or his assistants or County Live Stock Inspectors may direct.

GLANDERS.

SECTION 36. No person, firm or corporation shall allow any animal affected with Glanders or suspected of being affected with Glanders, or which has been recently exposed to Glanders, to run at large or stray upon or be moved over any public road, common or range, or be given water at any public fountain or trough in Tennessee.

SECTION 37. Animals affected with Glanders or exposed to Glanders shall be placed in temporary quarantine and the fact reported to the State Live Stock Inspector. The temporary quarantine shall remain in force and effect until a diagnosis is made and affirmed and the animal, if affected, disposed of by appraisalment and slaughter.

SECTION 38. Before animals presenting clinical symptoms and lesions of glanders are appraised and killed at county expense, the animal must first be examined and the case pronounced glanders by a graduated and licensed veterinary surgeon. When practicable it is desired that the veterinary surgeon's diagnosis be confirmed by either the complement-fixation or the agglutination blood test as made by the United States Bureau of Animal Industry. No animal not presenting clinical symptoms or lesions of glanders and no "suspected case of glanders" shall be appraised and killed at county expense unless and until the blood shows positive to either the complement-fixation or the agglutination test as made by the United States Bureau of Animal Industry. When an animal reacts to the Mallein test, and a diagnosis of Glanders is made based thereon, the animal must be handled as a suspect until the blood shows positive to either the complement-fixation test or the agglutination test as made by the United States Bureau of Animal Industry. Animals which are known to have been exposed to Glanders may be isolated and placed in quarantine for a sufficient time to permit the infection to develop.

SECTION 39. No person, firm or corporation shall deliver for transportation, receive for transportation or transport any animal or animals affected with Glanders to any other portion of Tennessee.

SECTION 40. All cars, stock yards, chutes, pens, alleys, barns, cellars and sheds having contained Glandered animals shall be cleansed and disinfected as soon thereafter as possible by removing all litter and manure and then saturating the surface with a solution containing 5 per cent of 100 per cent carbolic acid. All curry combs, brushes, saddles, blankets, bridles, halters, harness and other articles which have come into direct contact with any part of the animal's body shall be destroyed by burning, or be soaked for a period of not less than twelve hours in a 5 per cent of 100 per cent carbolic acid solution, after which they must be exposed to the direct rays of the sun for a period of not less than three days.

NODULAR DISEASE OF SHEEP.

SECTION 41. All sheep affected with Nodular Disease, and all Nodular Disease infested farms or premises, or farms or premises upon which this disease may hereafter develop, are hereby quarantined until the disease is eradicated. No sheep shall be removed therefrom without first obtaining permission in writing from the State Live Stock Inspector, and then can be removed for no purpose other than for immediate slaughter.

SECTION 42. All carcasses of sheep which die from Nodular Disease shall be burned to ashes and the premises cleansed

and disinfected in such manner as the State Live Stock Inspector or his assistants or County Live Stock Inspectors may direct.

SHEEP SCABIES (SCAB).

SECTION 43. That no sheep intended for purposes other than immediate slaughter shall be shipped, trailed or otherwise removed or allowed to drift into the State of Tennessee, except as hereinafter provided, unless accompanied by a certificate of inspection issued by an inspector of the United States Bureau of Animal Industry certifying that the sheep have been dipped once within ten days of time of entry into the State in either a nicotine or lime and sulphur dip which has been approved by the United States Bureau of Animal Industry. Provided, however, that sheep not accompanied by certificate as above indicated may be shipped by rail or boat to points within Tennessee if billed to or through public stock yards where Federal Government inspection is maintained and there unloaded and dipped under the supervision of an inspector of the United States Bureau of Animal Industry.

SECTION 44. When sheep intended for purposes other than immediate slaughter are brought into the State under a dipping certificate, or sheep not accompanied by certificate which are intended to be dipped at public stock yards after arrival within the State, as hereinbefore provided, the owner or shipper shall, before the sheep enter the State, notify the State Live Stock Inspector of Tennessee at Nashville, Tenn., in writing or by telegraph, indicating the number of sheep in the shipment, point of origin and destination, railroad or boat over which shipped, and whether the sheep are accompanied by such certificate.

SECTION 45. All sheep shipped into the State under a dipping certificate, and all sheep transported within the State by railroad or boat, when not destined to market points where Federal inspection is maintained, shall be loaded in cleaned and disinfected cars or boats.

SECTION 46. All official dippings within the State of Tennessee and all sheep dipped in other States which are intended to be moved into Tennessee for purposes other than immediate slaughter shall be made in either "*tobacco*" or "*nicotine dip*", or the "*lime and sulphur dip*", as prescribed and permitted by the United States Bureau of Animal Industry. No recognition whatever will be given to dipping in dips other than those mentioned above, and no "home-made" dips will be recognized by this department.

SECTION 47. Whenever a shipment of sheep originating in or in transit through the State shall be found diseased with Scabies or other communicable disease, the cars, boats or other vehicles, yards, sheds, pens, chutes, etc., that have contained such diseased sheep shall not be used to transport or yard other sheep until they have been cleaned and disinfected in the manner prescribed in the regulations of the United States Department of Agriculture pertaining to Scabies in sheep.

SECTION 48. Sheep that are diseased with Scabies or have been exposed to the disease may be quarantined by either the Commissioner of Agriculture, the State Live Stock Inspector

or any Assistant State or County Live Stock Inspector on any farm, within any shed, yard, stall, crate, box or other permanent or temporary receptacle, and shall not move or be allowed to move except as hereinafter provided.

SECTION 49. No sheep affected with Scabies within the State of Tennessee shall be offered for transportation to any railroad company, steamboat, ferry or other common carrier for transportation to points within or outside the State of Tennessee until they have been cured of said disease. All sheep are subject to inspection by a County or State Live Stock Inspector before being offered for shipment, and must be found free from infection or exposure thereto. Upon inspection, if they are found free from infection or exposure thereto a regular certificate of inspection will be issued. One copy of the certificate shall accompany shipments to their destination and be attached to waybills, and another copy shall be mailed promptly to the State Live Stock Inspector.

SECTION 50. Sheep affected with Scabies that have been dipped twice, ten days apart, in one of the dips permitted in Section 46 of these Regulations, and under the supervision of a Federal, State or County Live Stock Inspector, may be shipped or driven to any point within Tennessee for any purpose within ten days on permit issued by an inspector of the State or county.

SECTION 51. All sheep in a certain flock or shipment in which the disease is present shall be classed as diseased sheep, and none of them shall be moved or allowed to move except as provided in the foregoing Regulations.

SECTION 52. All cars, stock yards, chutes, pens, alleys, barns, cellars, sheds, racks, crates, boxes or other receptacles having contained sheep affected with Scabies shall be cleaned and disinfected as soon thereafter as possible in the following manner:

Remove all litter and manure and then saturate the interior surfaces with a solution containing 5 per cent of pure carbolic acid.

SECTION 53. The sheep must be kept in the dip between two and three minutes, and their heads submerged at least once, though but for an instant at a time, and assistance must be rendered immediately they appear to be strangling. The dip must be maintained at a temperature between 100 F. and 110 F. while the sheep are in it. It must be changed as soon as it becomes filthy, regardless of number of sheep dipped in it, and in no case shall it be used more than one week old. In emptying the dipping vat the entire contents must be removed, including all sediment and droppings and other foreign matter.

SECTION 54. Sheep moving under health certificates for breeding or feeding purposes shall be handled in free or uninfected pens in stock yards, and infected sheep, or those moving unaccompanied by health certificate, shall be handled in quarantined or infected pens. All public stock yards which do not maintain quarantine pens separate and distinct from the free or uninfected pens are hereby declared and placed in permanent quarantine, in so far as handling sheep for breeding or feeding purposes is concerned.

QUARANTINE AGAINST THE STATE OF ILLINOIS.

SECTION 55. All live stock of any class originating in the

State of Illinois, destined to any point in the State of Tennessee, must be accompanied by a health certificate issued by a veterinary inspector of the United States Bureau of Animal Industry, or the State Veterinarian or his assistants or deputies. The health certificate shall certify that the animals are free from the following diseases or exposure thereto: GLANDERS, TUBERCULOSIS, SHEEP SCABIES, CATTLE SCABIES, HAEMORRHAGIC SEPTICAEMIA, COW POX, LUNG WORM, STOMACH WORM, JOHNE'S DISEASE, BLACK LEG and NODULAR DISEASE. [For Sheep see Section 43, page 20.]

INSTRUCTIONS FOR APPRAISING AND SLAUGHTERING ANIMALS IN TENNESSEE.

SECTION 56. Whenever an animal or animals suffering from a contagious or communicable disease are reported by the proper county authorities to the State Live Stock Inspector, an investigation will be made. If, in the opinion of the State Live Stock Inspector, the public safety demands the destruction of said animal or animals, three disinterested and competent freeholders and residents of the county will be appointed in writing by the State Live Stock Inspector to act as a Board of Appraisers to value said animal or animals before they are slaughtered.

SECTION 57. The Board of Appraisers must be sworn by a Justice of the Peace or Notary Public before proceeding.

SECTION 58. The State Live Stock Inspector, Assistant State Live Stock Inspector, County Live Stock Inspector or County Health Officer shall read aloud to the Board of Appraisers Section 10, Chapter 156, Acts of 1901, which is as follows:

"Be it further enacted, That whenever, in the opinion of the State Live Stock Inspector, the public safety demands the destruction of any animal or animals under the provisions of this Act, he shall, before ordering the killing or slaughtering of the same, appoint three competent and disinterested freeholders, who shall be affirmed or sworn before proceeding to act, and they shall make a just and true valuation of said animal or animals to be so killed or slaughtered, and in valuing shall consider the health and condition of the animals when killed, and they shall make and deliver a written certificate setting forth all the essential facts in the case to the lawful owner, who shall present the same for payment to the Chairman of the County Court of the county in which such animal or animals are so killed or slaughtered, and the same shall constitute a county charge, to be paid as other claims against the county are."

SECTION 59. In making their report the Board of Appraisers shall use the official blank of this department; the same shall be filled out in duplicate, the original to be delivered to the owner for presentation to the Chairman of the County Court, and the duplicate to be mailed promptly to the State Live Stock Inspector.

SECTION 60. The owner or person in charge of any animal killed or slaughtered in accordance with Section 10, Chapter 156, Acts of 1901, shall dispose of the carcass by burning or burying, or make such other disposition as, in the opinion of

the State Live Stock Inspector, or his assistants or deputies, or the County Live Stock Inspector, or County Health Officer, the public welfare requires.

Given under our hands and seal, at State Capitol, Nashville, Tenn., this April 3, 1912.

T. F. PECK,
Commissioner of Agriculture.

G. R. WHITE,
State Live Stock Inspector.

SUMMARY OF REGULATIONS GOVERNING THE SHIPMENT OF ANIMALS FROM OTHER STATES INTO TENNESSEE.

HORSES, MULES and ASSES must be free from Equine Scabies, Glanders, Texas Fever Ticks or other contagious, infectious or communicable diseases. Horses, mules and asses originating in a quarantined area, quarantined on account of the existence of Southern Splenetic or Texas Fever outside of the State of Tennessee, shall not at any time be transported, driven or allowed to drift therefrom into any portion of this State, unless they are dipped in a standard arsenical solution either at point of origin, en route, or on arrival at destination.

CATTLE—Health certificates, including tuberculin test of all cattle over 6 months old, except for immediate slaughter.

HOGS—From public stock yards accepted for immediate slaughter only.

SHEEP—No sheep intended for purposes other than immediate slaughter shall be shipped, trailed or otherwise removed or allowed to drift into the State of Tennessee, unless accompanied by a certificate of inspection issued by an inspector of the United States Bureau of Animal Industry certifying that the sheep have been dipped once, within ten days of time of entry into the State, in either a nicotine or lime and sulphur dip, which has been approved by the United States Bureau of Animal Industry.

WHO MAY INSPECT—State and Federal Inspectors or other qualified veterinarians. The above applies to all States except Illinois. (See requirements for Illinois.)

GENERAL DIRECTIONS FOR DISINFECTION OF PREMISES.

In the eradication of Glanders, Tuberculosis or other communicable disease the thorough disinfection of premises is essential. This may be satisfactorily accomplished by carrying out the following directions:

1. Sweep ceilings, side walls, stall partitions, floors and other surfaces until free from cobwebs and dust.

2. Remove all accumulations of filth by scraping, and if woodwork has become decayed, porous or absorbent, it should be removed, burned and replaced with new material.

3. If floor is of earth, remove four inches from the surface, and in places where it shows staining with urine a sufficient depth should be removed to expose fresh earth. All earth removed should be replaced with earth from an uncontaminated source, or a new floor of concrete may be laid, which is very durable and easily cleaned.

4. All refuse and material from stable and barnyard should be removed to a place not accessible to cattle or hogs in case of disinfecting for tuberculosis, nor accessible to horses or mules in case of disinfecting for glanders. The manure should be spread on fields and turned under, while the wood should be burned.

5. The entire interior of the stable, especially the feeding troughs and drains, should be saturated with a disinfectant, as liquor cresolis compositus (U. S. P.), or carbolic

acid, 6 ounces to every gallon of water in each case. After this has dried the stalls, walls and ceilings may be covered with whitewash (lime wash), to each gallon of which should be added 4 ounces of chloride of lime and 4 ounces of crude carbolic acid.

The best method of applying the disinfectant and the lime wash is by means of a strong spray pump, such as those used by orchardists. This method is efficient in disinfection against most of the contagious and infectious diseases of animals, and should be applied immediately following any outbreak, and, as a matter of precaution, it may be used once or twice yearly.

6. It is important that arrangements be made to admit a plentiful supply of sunlight and fresh air by providing an ample number of windows, thereby eliminating dampness, bad odors and other insanitary conditions. Good drainage is also very necessary.

The use of the liquor cresolis compositus, carbolic acid or other coal-tar products is inadmissible because of the readiness with which their odor is imparted to milk and other dairy products. Bichloride of mercury may be used in the proportion of 1 to 800, or 1 pound of bichloride to 100 gallons of water. However, all portions of the stable soiled with manure should first be thoroughly scraped and cleaned, as the albumen contained in manure would otherwise greatly diminish the disinfecting power of the bichloride. Disinfection with this material should be supervised by a veterinarian or other person trained in the handling of poisonous drugs and chemicals, as the bichloride of mercury is a powerful corrosive poison. The mangers and feed boxes, after drying following spraying with this material, should be washed out with hot water, as cattle are especially susceptible to mercurial poisoning. The bichloride solution should be applied by means of a spray pump, as recommended for the liquor cresolis compositus. Permanganate of potash, in the strength of 1 part to 2,000 parts of water, makes an excellent stable disinfectant.

OIL EMULSION FOR KILLING TICKS ON CATTLE.

This is made by using crude petroleum, Beaumont oil or Gulf Refining oil. Do not use the thick, black oil, as it will not emulsify.

1. Take one pound of hard soap and dissolve it in one gallon of hot, freestone, or soft, or rain water; then add one gallon of crude petroleum; place in a ten-gallon can or keg and stir vigorously. When thoroughly emulsified add two gallons of hot or warm water and stir. When tepid or milk warm it is ready to apply with a swab, rags or by a spray. This makes a 25 per cent emulsion.

2. An 80 per cent stock emulsion is made by dissolving one pound of hard soap in one gallon of hot water, and then add four gallons of the oil; stir vigorously. To make a 25 per cent solution, take one pint, one quart or one gallon of the 80 per cent stock emulsion and add two and one-fifth times as much warm water to it. This makes a 25 per cent emulsion, but does not contain quite as much soap as when made by the first method.

Always let the animal go into the shade immediately after

applying any oil or emulsion, as this will prevent blistering. Also see that the cattle get plenty of good drinking water. Never apply oil or emulsion to cattle having tick fever or a high temperature. If the oil is good and the emulsion properly made, it will kill all the ticks except the large ones, and they should be picked off and destroyed at the time the emulsion is applied. The emulsion should be thoroughly applied all over every part of the external surface of the body as often as live ticks are found on the animal—at least every one, two or three weeks. It is the cheapest, safest and best tickicide known, with the possible exception of the standard arsenical solution, and can be applied by hand, by spray or in a dipping tank. The quantity of the emulsion required to cover the animal will vary from one quart to one gallon, depending upon the size of the animal, length of the hair and the way it is applied. The inspectors will tell you where to get spray pumps and how to use them, and will tell you how to make dipping vats and how to make and apply emulsions. Your merchant can order for or sell you the crude petroleum. In order to kill ticks, you must watch the cattle and apply the emulsion thoroughly and regularly.

Supreme Court Decision.

GEORGE BISHOP

vs.

THE STATE

LINCOLN COUNTY, CRIMINAL DOCKET.

OPINION.

The plaintiff in error, George Bishop, has appealed from a judgment of the Circuit Court of Lincoln County imposing upon him a fine of fifty dollars and the payment of the costs of the case for a violation of the quarantine Rules and Regulations adopted and promulgated by the Commissioner of Agriculture and State Live Stock Inspector to prevent and restrict the spread of communicable and infectious diseases among domestic animals in this State.

The first question arises upon a demurrer to the indictment, which was overruled by the trial Judge, and his action in that respect is assigned as error.

The indictment is predicated upon Chapter 156 of the Session Acts of 1901, and particularly upon Sections 7 and 8 of said Act, together with certain of the Rules and Regulations adopted in pursuance thereof by the Commissioner of Agriculture and the State Live Stock Inspector. Said Act is entitled "An Act to prevent the spread of communicable diseases among domestic animals in the State of Tennessee, and to provide greater protection to the live stock industry of the State, and to provide penalties for the violation of this Act, and to repeal Chapter 424 of the Acts of 1899, and to amend Chapter 46 of the Acts of 1907."

Section 7 provides: "That the Commissioner of Agriculture and the State Live Stock Inspector shall have general supervision of all communicable diseases among domestic animals within or that may be in transit through the State, and they are empowered to establish quarantine against any animal or animals thus diseased, whether within or without the State, and may make such rules and regulations against the spread and for the suppression of said diseases as in their judgment may seem necessary and proper and in the enforcement of such rules and regulations they shall have the power to call on any one or more of the peace officers, whose duty it shall be to give all the assistance in their power."

Section 8 provides: "That any person who willfully hinders, obstructs or otherwise disregards or evades such quarantine as they may declare, or violates any rule or regulation they shall make in attempting to stamp out or restrict the spread of any disease or diseases aforementioned, or who shall resist any peace officer acting under them, or either of them, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty dollars nor more than five hundred dollars, or imprisoned in the county jail for a period of three months, or both, at the discretion of the court."

The first ground of the demurrer interposed by the defendant below is that "it is not alleged in the indictment found against him in this case that the two cows owned by him, which, it is alleged, were permitted to run at large or

stray on the public roads, commons and ranges of said county of Lincoln, were infected with any communicable or infectious diseases, or fever ticks, or other communicable disorder."

It is not necessary that the indictment should charge that the cattle which were permitted to run at large were infected with a communicable or infectious disease. The Commissioner of Agriculture and the State Live Stock Inspector are not limited by the statute to making rules which would prohibit live stock already diseased from running at large, but they are authorized and empowered by Section 7, above quoted, to "make such rules and regulations against the spread and for the suppression of said disease or diseases as in their judgment may seem necessary and proper." It is manifest that a rule which went no further than to prohibit cattle which were already known to be afflicted with communicable or infectious diseases from running at large would be comparatively valueless in the way of preventing the spread of such diseases.

The second and last ground of the demurrer is that "it is not shown in the said indictment what quarantine rules and regulations alleged to have been adopted, established and promulgated by the Commissioner of Agriculture and State Live Stock Inspector of the State of Tennessee have been violated, evaded or disregarded."

We think the indictment sufficient in the particulars indicated. The indictment (omitting formal caption) is as follows, viz.: "That George Bishop, heretofore, on the 23d day of April, 1909, in the county aforesaid, did willfully violate, evade and disregard the quarantine rules and regulations adopted, established and promulgated by the Commissioner of Agriculture and State Live Stock Inspector of said State of Tennessee enacted and promulgated by them under and by authority of the Acts of the General Assembly of said State of Tennessee to prevent and restrict the spread of communicable and infectious diseases among domestic animals in said State, by allowing two cows owned by him, or under his control, to run at large, or stray on the public roads, commons and ranges of said county of Lincoln, the same being a county in said State of Tennessee, in which the work of tick eradication is being conducted, without first having obtained written permission for such privilege from a duly authorized inspector of said State, and against the peace and dignity of the State."

Under the practice of this State many of the formalities and technical requirements of the common law in respect of indictments have been discarded. It is provided by statute that "the statement of facts constituting the offense, in an indictment, shall be in ordinary and concise language, without prolixity or repetition." (Shan. Code, Sec. 7077.)

We think the indictment in this case shows with sufficient clearness the particulars wherein the defendant has willfully violated, evaded and disregarded the quarantine rules and regulations adopted, established and promulgated by the Commissioner of Agriculture and State Live Stock Inspector, etc., in that he has allowed two cows owned by him to run at large or stray on the public roads, commons and ranges of

Lincoln County, the same being a county in Tennessee in which the work of tick eradication is being conducted, without first having obtained written permission from a duly authorized inspector of the State. The necessary effect of these averments is to charge that the defendant has violated that particular rule and regulation which prohibits cattle to run at large in the manner stated. The demurrer was properly overruled.

It is insisted on behalf of plaintiff in error that the evidence does not sustain the verdict of the jury. We think otherwise. In fact, the proof clearly establishes the guilt of the plaintiff in error. A pamphlet copy of the rules and regulations governing cattle quarantine in the State of Tennessee, duly proven to have been adopted and promulgated by the Commissioner of Agriculture and the State Live Stock Inspector, and in force during the year of 1909, is found in the record. Section 1 of said rules and regulations is as follows: "The fact has been determined by the Commissioner of Agriculture and State Live Stock Inspector, and notice is hereby given, that a contagious disease known as Splenetic, Southern or Texas Fever exists among cattle in counties and portions of counties situated south or below the following described line." Then follows the boundary of the quarantined territory, from which it appears that all that part of Lincoln County lying south of Elk River is included therein. Section 1 then concludes as follows, viz.: "Now, therefore, we, John Thompson, Commissioner of Agriculture, and W. H. Dunn, State Live Stock Inspector, do hereby quarantine the area situated south and below the above-described lines and it is hereby ordered that cattle of the area south or below the said described line shall not at any time be transported, driven or allowed to drift therefrom to any portion of Tennessee north or above the said line, except as hereinbefore provided for immediate slaughter. Neither shall cattle of any county within the said area be transported, driven or allowed to drift therefrom into any county within the said area wherein the work of tick eradication is being conducted, except after inspection and upon written permission issued by a duly authorized State Inspector." Section 5 (the particular rule violated by the plaintiff in error) is as follows, viz.: "No person or persons owning or having in charge any cattle, horses or mules shall permit the same to run at large or stray on any public road, common or range in any county in this State in which the work of tick eradication is conducted, unless the owner shall first obtain written permission for such movement or privilege from a duly authorized inspector of this State; no person shall move, or cause to be moved, any cattle or other domestic animal in any manner from the farm, field or enclosure in which they are quarantined to any other place except on written permission from a duly authorized State Inspector."

It appears, without serious controversy on the record, that the plaintiff in error willfully and knowingly permitted two cows owned by him to run at large on the public roads, commons and ranges in that part of Lincoln County south of Elk River on the 23d day of April, 1909 (the date set out in the indictment), and for a time theretofore and thereafter. That

theretofore, to wit, on February 3, 1909, and again on March 13, 1909, notices had appeared in the *Lincoln County News*, a newspaper published at Fayetteville, in Lincoln County, and circulating throughout that county, warning cattle owners in Lincoln County south of Elk River that all cattle in that territory must "go off the range" and "go under the fence" on and after April 1, 1909.

It also appears from the testimony of R. E. Koonce, Live Stock Inspector for Lincoln County, that during the month of April, 1909, and prior to the 23d day of said month, he (Koonce) had a conversation with plaintiff in error concerning the rules and regulations governing cattle quarantine, and in the course of which conversation he produced and read to plaintiff in error a copy of said rules and regulations. Plaintiff in error admitted on the witness stand that he had the conversation detailed by Koonce.

The last assignment of error necessary to be noticed is based upon the refusal of the court below to give in charge to the jury a special request preferred by counsel for plaintiff in error, as follows, viz.: "The court charges that it is the insistence of the State in this case that a rule or regulation of the State Live Stock Inspector and Commissioner of Agriculture has been violated in this case, which rule or regulation has been heretofore shown you in evidence. The court charges that the question of whether the rule is a reasonable one is a question of fact for the determination of the jury under the evidence and the charge of the court."

The question of the reasonableness or unreasonableness of the rule or regulation of the Agricultural Department involved in this case was one for the court, and not for the jury, to determine. The general rule is that the reasonableness of rules, regulations or by-laws adopted and promulgated by officials or boards pursuant to authority delegated by the Legislature is to be decided as a question of law, and that such by-law, rule or regulation, if unreasonable, is to be held void as a matter of law; and it is improper to submit the question of the reasonableness of such a by-law, ordinance or regulation to the decision of a jury. (Thompson on Trials, 1057.)

The same question in principle has been often before the courts in respect of the determination of the validity of ordinances of municipal corporations—whether they are reasonable or unreasonable. The authorities are practically unanimous in support of the rule that the question of whether an ordinance or by-law of a municipal corporation is reasonable is one of law for the court. Thompson on Trials, Sec. 1056; McQuillin's Municipal Ordinances, Sec. 185; *Com. v. Worcester*, 3 Pick. (Mass.), 462; *Hawes v. Chicago*, 138 Ill., 653 (42 N. E. Rep., 373); *State v. Boardman*, 93 Me., 73 (44 Atl. Rep., 118); *City of Austin v. City Cemetery Ass'n.*, 87 Texas, 330 (38 S. W. Rep., 528; 47 Am. St. Rep., 114); *State v. Jersey City*, 27 N. J. L., 348.

The learned trial Judge did not err in refusing to instruct the jury as requested.

It is earnestly insisted by the learned counsel for plaintiff in error that the "regulation upon which this prosecution is predicated is unreasonable, and, therefore, void as a matter

of law. In order to demonstrate the supposed unreasonableness of the regulation, counsel suppose an extreme case altogether foreign to the facts of the present case. We do not think that the reasonableness of any such rule or regulation is to be tested by its application to extreme illustrations. We have carefully considered the argument of counsel for plaintiff in error in support of the proposition that the regulations in question are unreasonable, and we are unable to concur therein. Having due regard to the objects sought to be attained, and the existing circumstances and contemporaneous conditions—all of which are proper to be considered—we think the rules and regulations adopted by the Commissioner of Agriculture and State Live Stock Inspector, and involved in this case, are reasonable and are within the powers conferred by the Act of Assembly, and, therefore, valid.

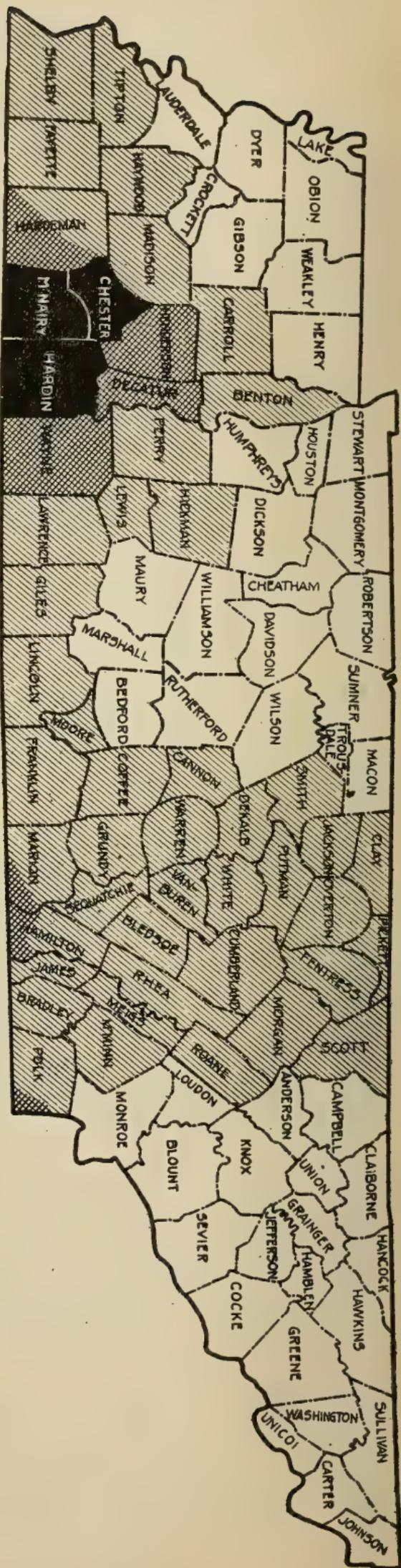
The judgment must be affirmed.

April 2, 1910.

(Signed) BEARD, *Chief Justice.*

Additional copies of these Regulations may be obtained upon application to the State Live Stock Inspector, Nashville, Tenn.

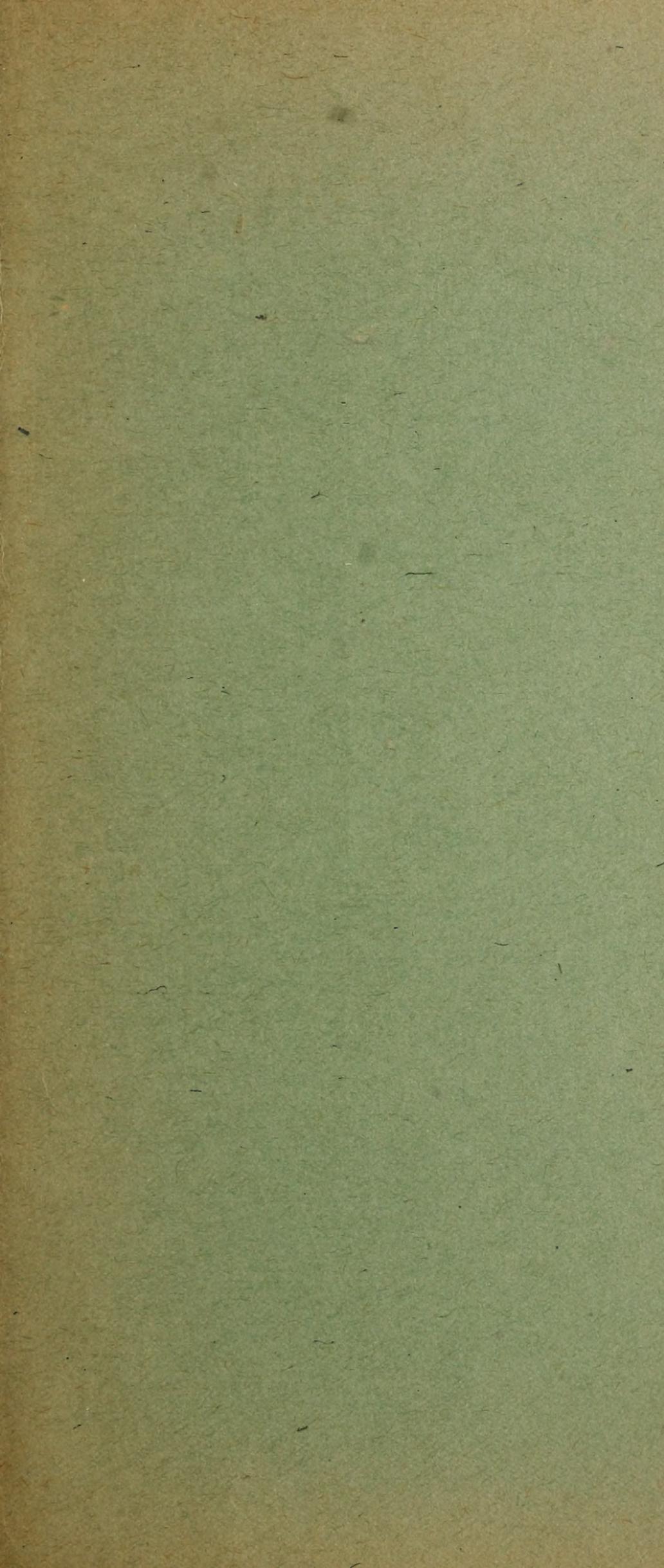
MAP SHOWING PROGRESS OF TEXAS FEVER TICK ERADICATION WORK IN TENNESSEE.



3 Counties which refuse to cooperate with the State and Federal Government in Tick Eradication. Cattle cannot be moved from these counties at any time for any purpose. See Section 1 of Regulations.

7 Counties which are cooperating with the State and Federal Government authorities in Texas Fever Tick Eradication Work. Cattle may be moved from these counties under certain restrictions. See Sections 2, 5 and 9 of Regulations.

41 Counties which have been freed of ticks and released from quarantine since Tick Eradication Work started in Tennessee.





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