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U. S. DEPARTMENT OF AGRICULTURE,  
BUREAU OF ANIMAL INDUSTRY.

D. E. SALMON, D. V. M., Chief.

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LEGISLATION

WITH REFERENCE TO

BOVINE TUBERCULOSIS,

BEING

A DIGEST OF THE LAWS NOW IN FORCE AND A TRANSCRIPT OF THE  
LAWS, RULES AND REGULATIONS, AND PROCLAMATIONS FOR  
THE SEVERAL STATES AND TERRITORIES.

BY

D. E. SALMON, D. V. M.,

Chief of Bureau of Animal Industry.



WASHINGTON:

GOVERNMENT PRINTING OFFICE.

1901.

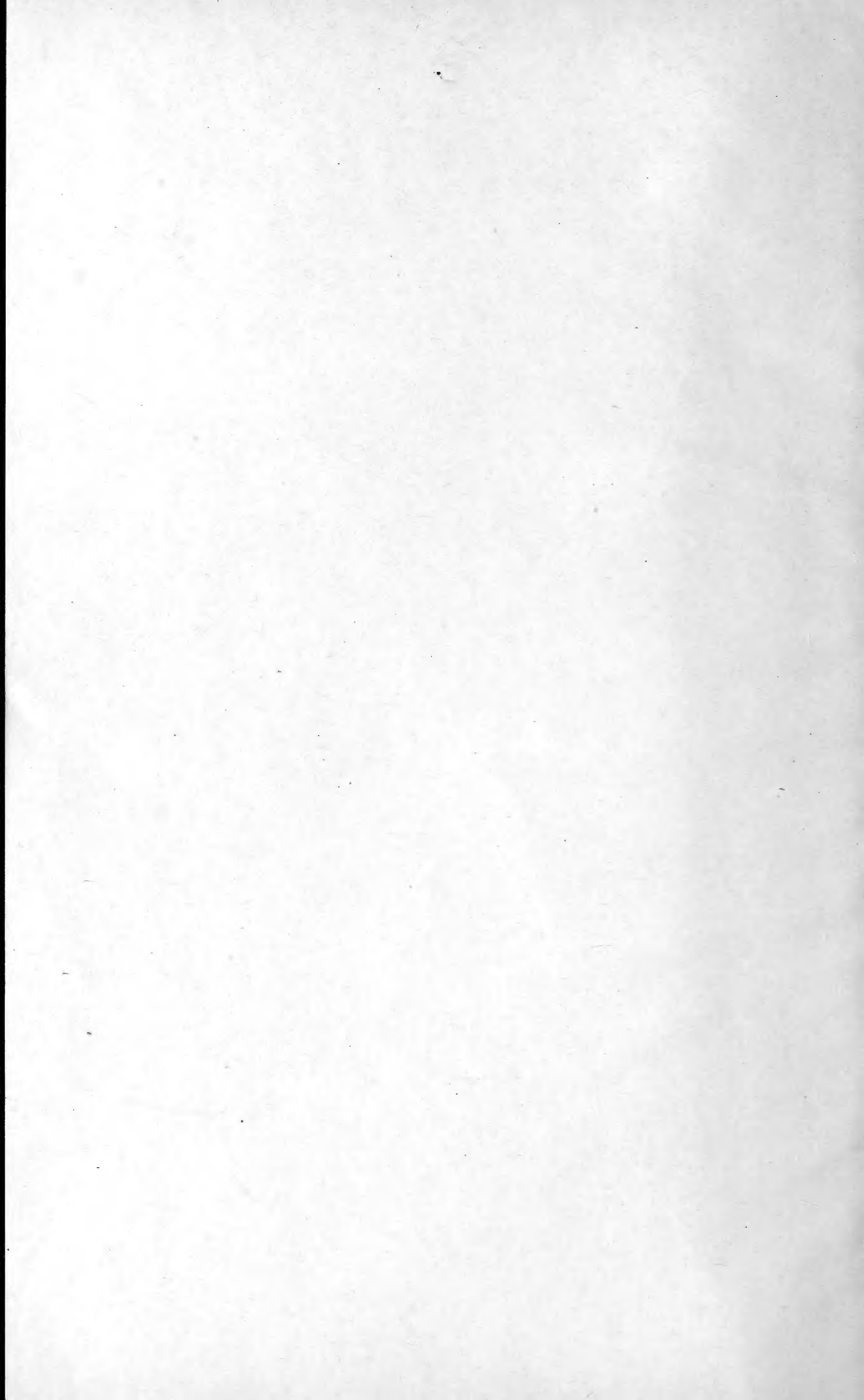
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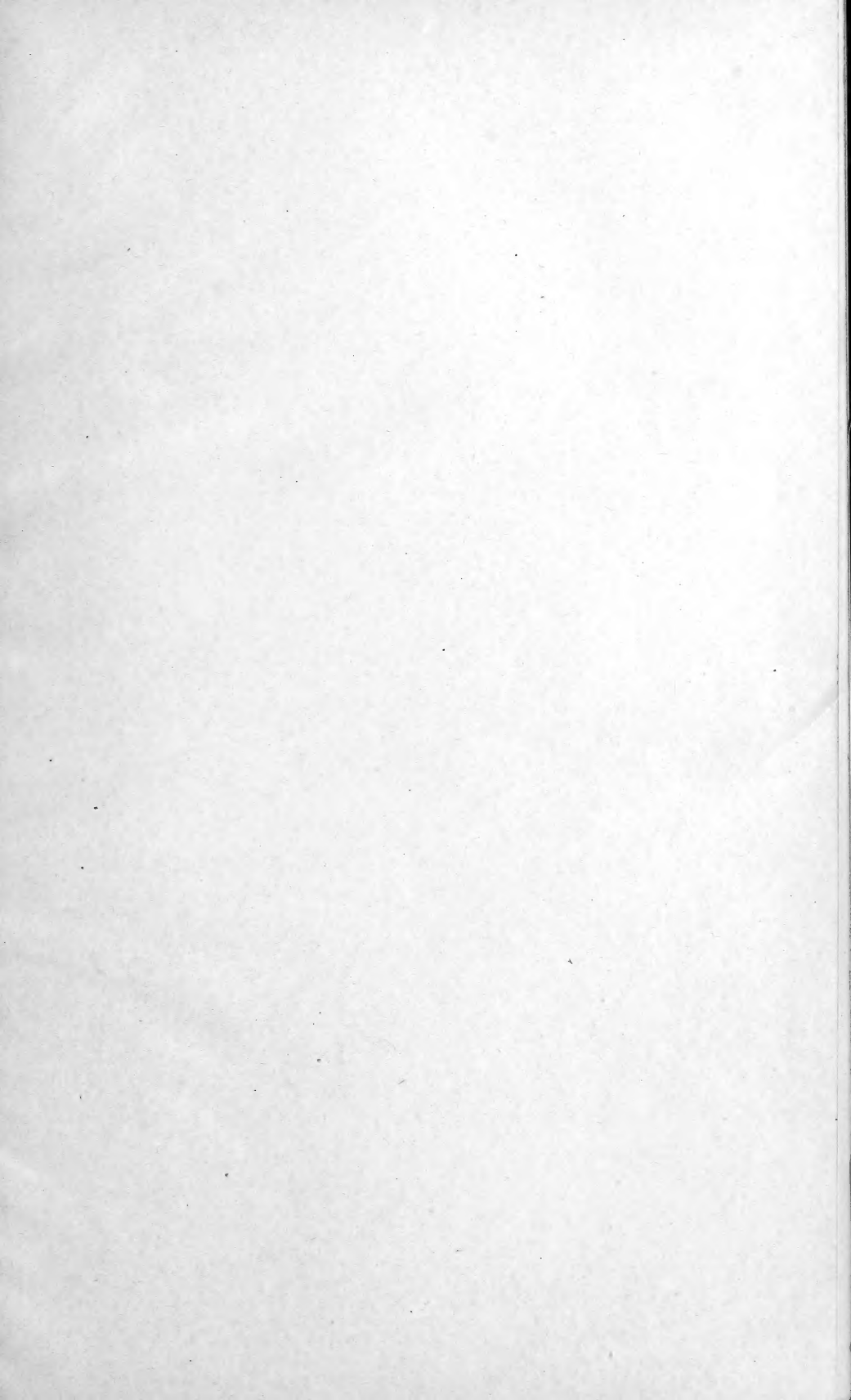


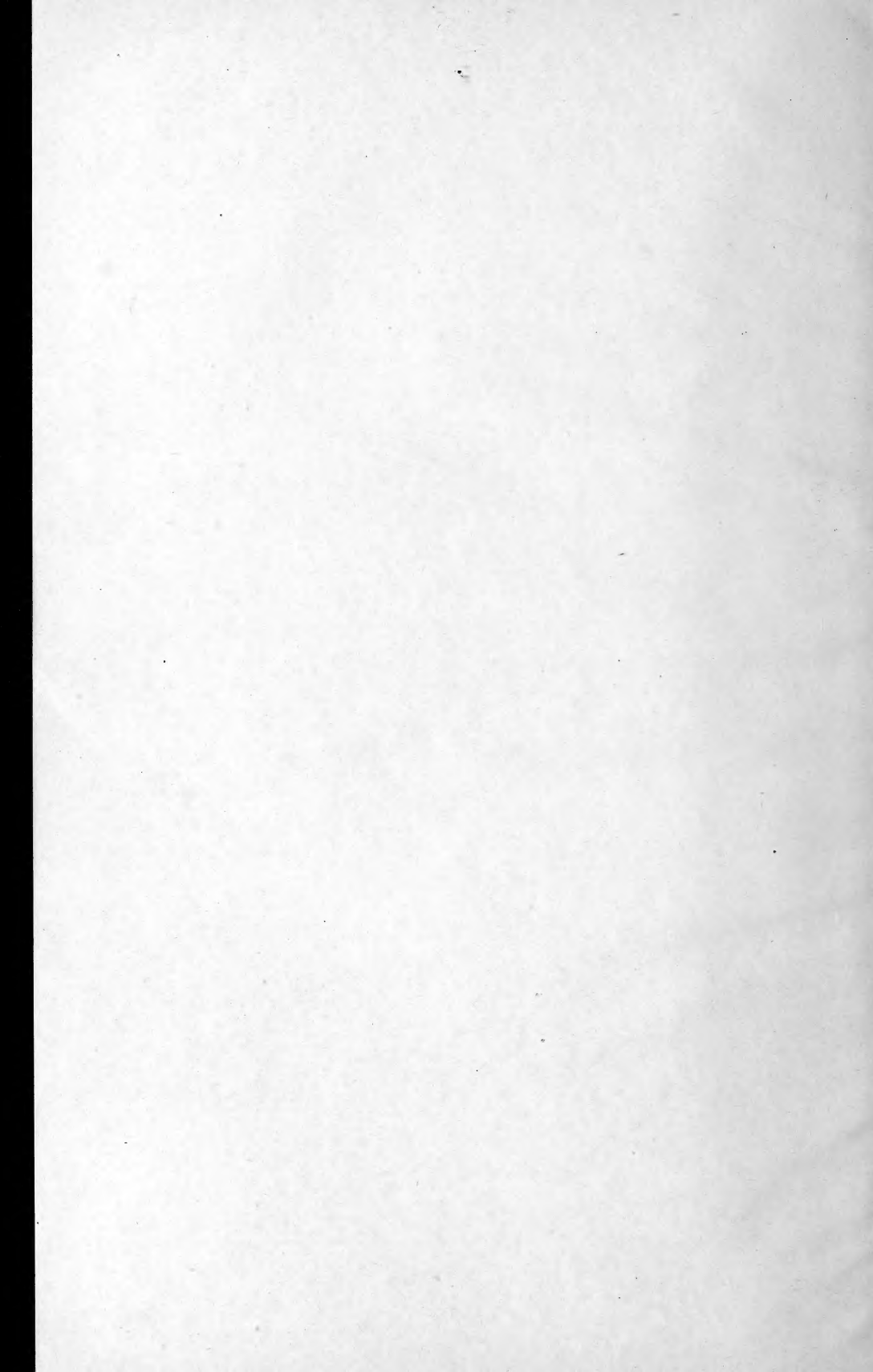
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U. S. DEPARTMENT OF AGRICULTURE,

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D. E. SALMON, D. V. M., Chief.

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## LETTER OF TRANSMITTAL

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U. S. DEPARTMENT OF AGRICULTURE,  
BUREAU OF ANIMAL INDUSTRY,  
*Washington, D. C., February 9, 1901.*

SIR: I have the honor to transmit herewith a compilation of the laws and rules and regulations of the several States and Territories, so far as they relate to bovine tuberculosis, and recommend that it be published as Bulletin No. 28 of this Bureau. This information is designed to supply the needs of breeders and shippers of cattle.

Respectfully,

D. E. SALMON,  
*Chief of Bureau.*

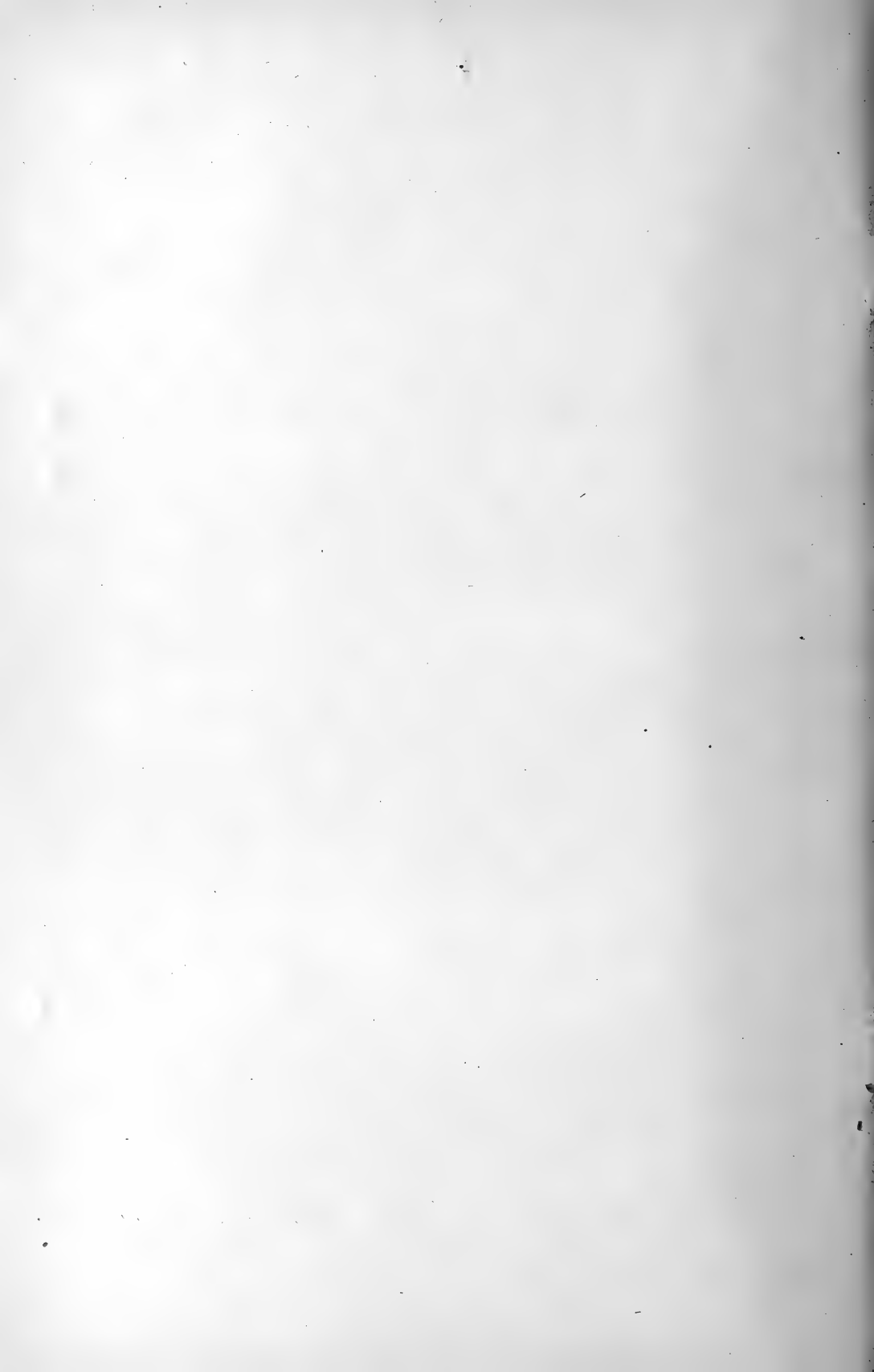
Hon. JAMES WILSON,  
*Secretary of Agriculture.*



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# LEGISLATION RELATIVE TO TUBERCULOSIS.

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## ALABAMA.

Alabama has an old law relative to infectious and contagious diseases which might be construed so as to include tuberculosis of cattle; however, nothing has been done with reference to that disease under this or any other law.

### LAW.

AN ACT for the prevention and suppression of infectious and contagious diseases of horses and other animals. (Approved February 28, 1887.)

SECTION 1. *Be it enacted by the General Assembly of Alabama,* That it shall be the duty of any person, who is the owner or possessor of a horse, mule, or other animal having the glanders, or other fatal contagious or infectious disease, to keep such diseased animal away and removed from any public or other place where horses, mules, or other animals are usually kept in said counties, and also to keep such diseased animals at a distance from any common rendezvous for animals therein, whether such rendezvous or place of resort be maintained for public or private use and conveniences; and any person refusing or wilfully neglecting to obey this provision of law, by bringing such diseased horse, mule, or other animal, or causing the same to be brought, to any rendezvous of animals or other place where the same shall be usually kept, shall be deemed guilty of a misdemeanor, and may be indicted therefor; and upon conviction thereof by or before any court of this State competent at this time to try and punish misdemeanors committed in said counties, shall be fined not exceeding \$50, nor less than \$5, for any violation of this law: *Provided,* That the prosecution and conviction of any person under this statute shall not be a bar to an action for civil damages against said person for loss or injury incurred by reason of the violation thereof.

## ARIZONA.

Arizona has no special law relative to bovine tuberculosis, but the disease is included in the general law of March 1, 1897.

The work against contagious diseases of animals in Arizona is done by the Live Stock Sanitary Board, consisting of three persons appointed by the Governor. The Governor also appoints a Territorial Veterinary Surgeon who operates under the Sanitary Board.

The duty of the board is "to protect the health of the domestic animals of the Territory from contagious and infectious diseases of a malignant character, and for this purpose it is hereby authorized and empowered to establish, maintain, and enforce such quarantine, sanitary, and other regulations, including methods of disinfecting railroad cars, as it may deem necessary."

The Territorial Veterinarian investigates reports of the presence of contagious or infectious diseases, and, if he finds that they do exist, establishes a temporary quarantine and reports the results of his investigations to the board, which establishes a permanent quarantine and prescribes rules and regulations for enforcing it. The proclamation of this quarantine is made by the Governor if the board so recommends.

The veterinarian, with the consent of the board, may slaughter diseased animals after certain conditions shall have been complied with. The slaughter by the veterinarian of animals which have been exposed and do not show disease can be done only with the written consent of the owner and when the order for the same is signed by another veterinarian. There appears to be no provision for indemnity for animals slaughtered.

It is made a misdemeanor to sell, drive, ship, trade, or give away any animals affected with or exposed to any contagious or infectious disease.

Whenever the Live Stock Sanitary Board has reason to believe that such diseases exist in other States or Territories, it reports the fact to the Governor, who issues a proclamation of quarantine against those districts, prohibiting the importation from them of any live stock of the kind diseased unless accompanied by a certificate of health. An exception is made of cattle in transit through the Territory by railroad and not unloaded.

It is also made a misdemeanor to bring into the Territory any animal which is affected with or has been exposed to any contagious or infectious disease.

#### LAW.

AN ACT to codify and revise the laws with reference to live stock.

*Be it enacted by the Legislative Assembly of the Territory of Arizona:*

SECTION 1. Three commissioners identified with the live stock interests of the Territory of Arizona shall be appointed by the Governor, with the advice and consent of the legislative council, who shall constitute the Live Stock Sanitary Board of the Territory of Arizona. Before entering upon the duties of his office each commissioner shall take and subscribe the oath of office according to law, and file the same with the Secretary of the Territory; and each commissioner before entering upon the performance of his duties shall execute a bond, to be approved by the Governor, in the sum of \$2,000, conditioned that he will faithfully perform the duties of his office, and file the same with the Secretary of the Territory. The term of office of the first commissioner named by the Governor shall be for three years from the 1st day of April, 1897; the second one named shall be for two years, and the third one named shall be for one year from said 1st day of April, 1897, and the successors of each shall be appointed for the term of three years thereafter. The Governor shall have the power to fill vacancies in said board. Said board shall elect one of their number chairman. The board shall keep a full and complete record of their proceedings and make such report to the Governor as may from time to time be required, and a biennial report to the legislative assembly. The members of the board appointed by the Governor as hereinbefore provided shall receive \$5 per day for the time by them necessarily employed in discharging

the duties required by this act: *Provided, however,* That in no one year shall the board be in session more than sixty days, except upon call of the Governor, and each member of the board shall receive 10 cents for each and every mile actually traveled, which per diem and mileage shall be paid on the warrant of the Auditor, to be issued on the filing in the Auditor's office of an itemized account thereof, properly certified thereto by such member, duly countersigned by the Secretary, with the seal of the board and approval of its chairman.

SEC. 2. The Governor shall nominate, and by and with the advice and consent of the legislative council appoint, a skilled veterinary surgeon for the Territory of Arizona, who at the date of such appointment shall be a graduate in good standing of a recognized college of veterinary surgeons, and who shall hold his office for the term of two years, unless sooner removed by the board; the salary of said veterinary surgeon shall be the sum of \$1,200 per annum and 10 cents per mile for each mile actually and necessarily traveled in the discharge of his duties. Before entering upon the discharge of his duties the Territorial Veterinarian shall take and subscribe an oath to faithfully perform the duties of his said office and shall execute a bond to the Territory of Arizona in the sum of \$5,000, with good and sufficient sureties, conditioned for the faithful performance of the duties of his office, which bond and sureties thereto shall be approved by the Governor, and said bond, together with the oath of office, shall be deposited in the office of the Secretary of the Territory.

SEC. 3. It shall be the duty of any owner or person in charge of any domestic animal or animals who discovers, suspects, or has reason to believe that any of his domestic animals, or domestic animals in his charge, are affected with any infectious or contagious disease to immediately notify such fact, belief, or suspicion to the board or any member of it or to the Territorial Veterinarian; and it shall be the duty of any person who discovers the existence of any contagious or infectious disease among the domestic animals of another to report the same to the said board or Territorial Veterinarian, and any attempt to conceal the existence of such disease or to wilfully or maliciously obstruct or resist the said board or the Territorial Veterinarian in the discharge of their duties as herein set forth, shall be deemed a misdemeanor.

SEC. 4. It shall be the duty of the board provided for in the first section of this act to protect the health of the domestic animals of the Territory from the contagious and infectious disease of a malignant character, and for this purpose it is hereby authorized and empowered to establish, maintain, and enforce such quarantine, sanitary, and other regulations, including methods of disinfecting railroad cars, as it may deem necessary. It shall be the duty of any member of said board, upon receipt by him of reliable information of the existence among the domestic animals of the Territory of any malignant disease, to immediately notify the Territorial Veterinarian, who shall go at once to the place where any such disease is alleged to exist and make a careful examination of the animals believed to be affected with any such disease, and ascertain, if possible, what, if any, disease exists among the live stock reported to be affected and whether the same is contagious or infectious or not; and if said disease is found to be of a malignant, contagious, or infectious character, he shall direct a temporary quarantine and sanitary regulations necessary to prevent the spread of any such disease and report forthwith his findings and actions to the chairman of the board.

SEC. 5. Upon the receipt by the chairman of the board of the report of the Territorial Veterinarian provided for in Section 4 of this act, he shall immediately, if the exigencies of the case require it, convene the board at the most convenient place; and if upon consideration of the report of the veterinarian the board shall be satisfied that any contagious or infectious disease exist which seriously affects the health of domestic animals, they shall, after ascertaining and determining the extent of premises or grounds infected, authorize the veterinarian to establish the

quarantine, sanitary, and police regulations necessary to circumscribe and exterminate such disease; and no domestic animal liable to become infected with the disease or capable of communicating the same shall be permitted to leave the district, premises, or grounds so quarantined except by the authority of the veterinarian. The said board shall prescribe such rules and regulations as will enable the veterinarian to perfectly isolate the diseased and exposed animals from all other domestic animals which are susceptible of becoming infected with disease; they shall also, from time to time, prescribe and enforce such directions, rules, and regulations as to separating, mode of handling, treating, feeding, and caring for such infected or diseased and exposed animals as it shall deem necessary to prevent the two classes of animals from coming in contact with each other; and the said board or any of the members thereof, or said veterinarian, are hereby authorized and empowered to enter upon any grounds or premises to carry out the provisions of this act.

SEC. 6. When the said board shall have determined the quarantine and other regulations necessary to prevent the spread among domestic animals of any malignant, contagious, or infectious disease found to exist among the live stock of the Territory, and given the orders as hereinbefore provided prescribing quarantine and other regulations, it shall notify the Governor thereof, who shall issue his proclamation proclaiming the boundary of such quarantine and the orders, rules, and regulations prescribed by the board, which proclamation may be published by written or printed handbills posted within the boundaries or on the lines of the district, premises, places, or grounds so quarantined, or by being published in the stock papers of the Territory: *Provided*, That if the board decides that it is not necessary, by reason of the limited extent of the district in which such disease exists, that a proclamation should be issued, then none shall be issued, but the board shall give notice as may to it seem best to make the quarantine established effective.

SEC. 7. In any case of epidemic disease where premises have been previously quarantined by the Territorial Veterinarian, as before provided, he is further authorized and empowered, when in his judgment necessary, by and with the consent of the board, to order the slaughter of any or of all diseased animals upon said premises and of all animals that have been exposed to contagion or infection, under the following restrictions: The order for slaughter shall be in writing and shall be made in duplicate, and there shall be a distinct order and a duplicate for each owner of the animal or animals condemned, the original of each order to be filed in the office of the said board and the duplicate given to the said owner. And, further, before slaughtering any animal or animals that have been exposed only and do not show disease the veterinarian shall call in consultation with him two reputable practicing veterinarians or physicians, residents of the Territory, or if this is impracticable, then two reputable and well-known stock owners, residents of the Territory, and shall have the written indorsement upon his orders of at least one of said consulting physicians or stock owners, stating that the said action is necessary, and the consent in writing of the owner or person in charge before such animal or animals shall be slaughtered. It shall be the duty of the Territorial Veterinarian to superintend the slaughtering of such animals as may be condemned, and also the destruction of the carcass, causing the same to be destroyed as cheaply as practicable, which destruction shall be by burning to ashes, and shall include every part of the animal and hide and also excrement and stable bedding or corral litter as far as possible.

SEC. 8. Any person, persons, firm, or corporation who shall have in his possession any domestic animal affected with any contagious or infectious disease, knowing such animal to be so affected, or after having received notice that such animal is so affected, who shall sell, drive, ship, trade, or give away such diseased animal or animals which have been exposed to such infection or contagion, sheep infected with scab upon the range excepted, or who shall move or drive any domestic



animal in violation of any direction, rule, regulation, or order establishing and regulating quarantines, shall be deemed guilty of a misdemeanor: *Provided*, That any owner of any domestic animal which has been affected with or exposed to any contagious or infectious disease may dispose of the same after having obtained from the Territorial Veterinarian a bill of health of such animal. It shall be unlawful to kill for butcher purposes any diseased animal, to sell, give away, or use any part of it or its milk, or to remove any part of the skin.

SEC. 9. Whenever the said board shall have good reason to believe that any contagious or infectious disease exists in any other State, Territory, or countries, or that there are conditions that render domestic animals from such districts liable to convey such disease, they shall report the same to the Governor. Thereupon the Governor shall, by proclamation, prohibit the importation of any live stock of the kind diseased into the Territory, unless accompanied with a certificate of health given by a duly authorized State or Territorial Veterinarian, and all such animals arriving in this Territory shall be examined upon arrival by the Territorial Veterinary Surgeon, and if deemed necessary placed in close quarantine until all danger of infection is passed, when they shall be released by order of the Territorial Veterinarian. All expense connected with such examination shall be paid by the owner or owners of such stock.

SEC. 10. It shall be unlawful for any person, persons, firm, or corporation to drive or transport, or cause to be driven or transported, into the Territory of Arizona any live stock from those States, Territories, or countries against which the Governor has proclaimed a quarantine, as hereby provided for in Section 9 of this act: *Provided*, That cattle in transit through the Territory on a railroad, when not unloaded, are not liable to any penalties attached to this act. Otherwise the regulations contained herein shall apply as well to those animals in transit through the Territory as to those resident therein, and the said board, a member thereof, or the Territorial Veterinary Surgeon shall have full authority to examine, whether in yards, or pasture, or stables, or upon the public domain, all animals passing through the Territory or any part of it, and on detection or suspicion of disease to take possession of and treat and dispose of said animals in the same manner as is prescribed for animals resident in the Territory.

SEC. 11. Any person, persons, firm, corporation, owner, or agent who shall knowingly bring into this Territory any domestic animal or animals affected with any contagious or infectious disease, or any animal or animals which have been exposed to any contagious or infectious disease, shall be deemed guilty of a misdemeanor.

SEC. 12. Except as otherwise provided in this act, any person, persons, firm, corporation, owner, or agent who shall violate, disregard, or evade, or attempt to violate, disregard, or evade any of the provisions of this act, or who shall violate, disregard, or evade, or attempt to violate, disregard, or evade any of the rules, regulations, orders, or directions of the said board establishing and governing quarantine, shall be deemed guilty of a misdemeanor; and any person, persons, firm, corporation, owner, or agent who violates any of the provisions of this or of Sections 3, 5, 8, or 11 of this act shall be guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be fined not less than \$50 nor more than \$300 and shall be liable for any damages that may be sustained by reason of their failure to comply with the provisions of the said sections.

\* \* \* \* \*

#### REGULATIONS.

Paragraphs 1, 2, and 4 of the regulations issued by the Live Stock Sanitary Board on May 1, 1900, are applicable to tuberculosis as one of the contagious diseases, and they are given herewith:

First. All persons desirous of shipping or driving live stock of any class into or through the Territory of Arizona should secure a certificate of health for the

same from the State or county veterinarian where they originate, declaring that said animals are free from all contagious and infectious diseases, and a copy of said health certificate should be sent to the Secretary of the Board or Territorial Veterinarian as early as possible.

Second. It shall be the duty of all transportation companies before entering the Territory with any live stock to inform the Sanitary Board, through its Secretary or Territorial Veterinarian at Phoenix, stating:

(a) Name of the shipper. (b) Place from which the stock originated. (c) Destination of stock. (d) Whether or not shipment is accompanied by certificate of health, and, if so, by whom signed.

Should they originate in a healthy district, they will be admitted if accompanied by proper health certificate (according to Rule 1).

Should the stock originate in an infected district which would render them liable to communicate an infectious or contagious disease, the Territorial Veterinarian shall place them in quarantine until all danger of infection is passed.

Fourth. When application is made for the admission of live stock into the Territory of Arizona, not accompanied by proper health certificate, the Territorial Veterinarian may inspect said stock at point of entry into the Territory of Arizona before issuing such permit, and the owner of said stock shall pay the Territorial Veterinarian his legal mileage and per diem while making such inspection.

#### ARKANSAS.

There is no law relative to bovine tuberculosis in Arkansas.

#### CALIFORNIA.

California has a general law against contagious or infectious diseases of domestic animals which in a general sense includes tuberculosis. This law provides that the owners of diseased animals shall keep them isolated from other animals of the same species and shall not drive them upon a public highway or onto a range where they will come in contact with other animals of like species not so affected.

#### LAW.

AN ACT to prevent the spread of contagious or infectious diseases among domestic animals.  
(Approved March 23, 1893.)

*The people of the State of California, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Any person or persons, company, or corporation, owning or having possession or control of any animal affected by any contagious or infectious disease, who shall fail to keep the same within an inclosure, or herd the same in some place where they will be secure from contact with other animals of like kind not so affected, or who shall suffer such infected animals to be driven on the public highway or to range where they will be likely to come in contact with other animals not so affected, shall be guilty of a misdemeanor, and, on conviction, punished by a fine of not more than \$500 for each offense.

SEC. 2. This act shall take effect immediately.

#### COLORADO.

Colorado has no law relative to bovine tuberculosis.

## CONNECTICUT.

Dr. C. A. Lindsley, Secretary of the Connecticut State Board of Health, says: "There were a number of laws relating to tuberculosis in cattle. In 1895 some additional legislation was enacted which was somewhat in advance of public sentiment, and in 1897 every law on the subject was repealed excepting one forbidding the sale of milk from any cows that were known to be tuberculous."

The section (General Statutes, 1888) not repealed is as follows:

SEC. 2664. Any person who shall knowingly sell or expose for sale milk, or any product of milk, from any cow which shall have been adjudged by the Commission upon Diseases of Domestic Animals affected with tuberculosis or other blood disease, shall be fined not more than \$7 or imprisoned not more than thirty days, or both.

## DELAWARE.

No special law relating to bovine tuberculosis is on the statutes of Delaware; the disease is embraced in the general act of May 4, 1893, providing for the eradication of infectious and contagious diseases among domestic animals.

The Governor of the State is authorized to issue a proclamation, when necessary, stating that an infectious or contagious disease exists in the State, naming the locality, and warning all persons to seclude their animals of the kind diseased and to take the necessary precautions to prevent the spread of the disease.

Animals coming into the State may be detained for inspection and examination. The Governor may prescribe regulations for the destruction of animals affected with a contagious or infectious disease; no animal shall be destroyed, however, until examined by a veterinarian in the employ of the Governor. No provision is made for indemnifying the owners of animals killed on account of being diseased.

## LAW.

(CHAPTER 639, VOL. 19, LAWS OF DELAWARE.)

AN ACT for the eradication of infectious and contagious diseases among the lower animals.  
(Passed at Dover, May 4, 1893.)

SECTION 1. That in order to protect the lives and property of citizens of Delaware when threatened by epidemics of contagious and infectious diseases among the lower animals, authority is hereby vested in the Governor of this State to issue his proclamation stating that an infectious or contagious disease exists in any county or geographical district of the State, and warning all persons to seclude, in the premises where they may be at the time, all animals within the quarantined district that are of a kind susceptible to contract the disease in question, and ordering all persons to take such precautions against the spread of such disease as the nature thereof may in his judgment render necessary or expedient.

SEC. 2. To call upon all sheriffs and deputy sheriffs to carry out and enforce the provisions of such proclamations, orders, and regulations; and it shall be the duty of all sheriffs and deputy sheriffs to obey and observe all orders and instructions which they may receive from the Governor in the premises.

SEC. 3. To employ such and so many medical and veterinary practitioners and such other persons as he may from time to time deem necessary to assist in performing his duties, as set forth in the first section of this act, and to fix their compensation.

SEC. 4. To order all or any animals coming into the State to be detained at any place or places for the purpose of inspection and examination.

SEC. 5. To prescribe regulations for the destruction of animals affected with infectious or contagious disease, and for the proper disposition of their hides and carcasses, and of all objects which might convey infection or contagion: *Provided*, That no animal shall be destroyed until first examined by a medical or veterinary practitioner in the employ of the Governor as aforesaid.

SEC. 6. To prescribe regulations for the disinfection of all premises, buildings, boats, and railway cars, and of all objects from or by which infection or contagion may take place or be conveyed.

SEC. 7. To take such action in regard to exposed carcasses, bones, etc., and to graves of lower animals known to have died from diseases directly communicable in a fatal form to man as he, after consultation with well-informed persons, may deem to be expedient.

SEC. 8. To alter and modify, from time to time, as he may deem expedient, the terms of all such proclamations, orders, and regulations, and to cancel and withdraw the same at any time.

SEC. 9. For the purpose of defraying the expenses involved in carrying out the provisions of this act an annual appropriation, not to exceed \$500, or so much thereof as occasion may require, is hereby made from the funds of this State.

#### DISTRICT OF COLUMBIA.

The eighth section of the act creating the Bureau of Animal Industry requires the Commissioners of the District of Columbia to take measures for the prompt suppression of all contagious, infectious, and communicable diseases affecting domestic animals and to prescribe regulations to prevent infection and contagion.

Owners of animals affected with or supposed to be affected with any such disease are required to isolate them and forthwith report the facts to the Chief of the Bureau of Animal Industry, and to follow such directions as said chief may prescribe.

All veterinary surgeons of the District and all members of the police force are required to inquire into and report upon known or suspected cases of such diseases.

The Chief of the Bureau only has authority to order the killing of any animal affected with a contagious or infectious disease; he also has power to quarantine premises.

#### LAW.

REGULATION for the suppression and prevention of contagious, infectious, and communicable diseases affecting domestic animals in the District of Columbia.

OFFICE OF THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,

*Washington, August 21, 1888.*

Whereas the eighth section of the act of Congress approved May 29, 1884, entitled "An act for the establishment of a Bureau of Animal Industry, to prevent the exportation of diseased cattle, and to provide the means for the suppression and

extirpation of pleuropneumonia and other contagious diseases among domestic animals," authorizes and requires the Commissioners to take measures for the prompt suppression of all contagious, infectious, and communicable diseases affecting domestic animals in the District of Columbia, to prescribe regulations for disinfection, and such other regulations as they may deem necessary to prevent infection and contagion, as provided in said section, do ordain, declare, and publish the following:

*Ordered*, That all persons having the care or custody of any domestic animal in the District of Columbia affected or supposed to be affected with any infectious, contagious, or communicable disease shall isolate and forthwith report the same to the Chief of the Bureau of Animal Industry of the Department of Agriculture, or to some officer in said Bureau in said District, designating the place where the same may be found, and shall place the same at his disposal and observe and follow such directions as such chief or officer shall prescribe in such case.

2. That it is hereby made the duty of all veterinary surgeons in said District and sanitary inspectors of the health department of the District, and of every member of the Metropolitan police force, to inquire and report upon all known or suspected cases referred to in Section 1 of this order.

3. That if any person or persons having the care or custody of any domestic animal in said District, affected or supposed to be affected as aforesaid, shall secrete or conceal the same, or use any device to conceal the same, or mislead the persons or officers who are charged with any duty with reference to such domestic animals, and all persons aiding therein, shall each suffer the penalty hereinafter described.

4. That the Chief of the Bureau of Animal Industry only may cause the death of any so diseased, or supposed to be diseased, animal in said District upon order, oral or written, from him for the death of such animal, and shall also prescribe the mode and place of such death, which shall be strictly pursued in the destruction of said animal, and the bodies of such animals so killed shall be removed by the health officer of the District upon notice from said chief.

5. That every person who shall violate any of the provisions of this regulation shall be fined in any sum not less than \$10 nor more than \$25 for each offense, to be enforced in the police court of the District of Columbia in the name of the District on information, etc.

The Commissioners having learned that a dangerous communicable disease prevails among domestic animals in the vicinity of the district which by contagion or transportation may affect the general health and safety, the Commissioners, in pursuance of the provisions of Section 8 of the act approved May 29, 1884, order the following measures for the prompt suppression of the same:

1. Upon the recommendation of the Commissioner of Agriculture, the Chief of the Bureau of Animal Industry in the United States Department of Agriculture is hereby authorized and empowered to act as veterinarian for the District of Columbia for the purposes named in the act above quoted.

2. So much of the rules and regulations prepared by the Commissioner of Agriculture in accordance with the requirements of the act aforesaid, and published under date of April 15, 1887, as are applicable to the District of Columbia are hereby approved and adopted by the Commissioners as regulations for the District: *Provided*, That wherever said regulations require report and action by the Commissioner of Agriculture, the Chief of the Bureau of Animal Industry, acting as veterinarian for the District, shall submit the requisite reports and recommendations for the consideration of and action by the Commissioners of the District of Columbia.

3. The legally appointed agents and inspectors of the Bureau of Animal Industry are hereby empowered, under the direction of the Chief of the Bureau, to discharge corresponding duties for the District of Columbia, and all citizens of the

District are hereby directed and required to recognize and respect the said Chief of the Bureau of Animal Industry and his duly appointed agents as lawful officers of the District.

4. The said Chief of the Bureau and his agents are authorized to inspect any premises in the District of Columbia where it is believed there exists any contagious, infectious, or communicable disease among any domestic animals, and if found needful to order the temporary quarantine of said animals, to cause premises to be disinfected, and if necessary to condemn the animals to be killed in order to prevent the spread of the disease.

5. The proceedings for the appraisal of the value of animals condemned to be killed shall be under the provisions of Section 8 of the regulations.

6. The Chief of the Bureau aforesaid, acting as veterinarian for the District, shall make to the Commissioners monthly reports of all matters relating to the subject of this order within the District of Columbia, and in addition thereto special reports and recommendations as often as shall be needful for the information of the Commissioners to enable them to carry into effect the provisions of the law.

#### FLORIDA.

Florida has no law relative to bovine tuberculosis.

#### GEORGIA.

Georgia has no law relating to bovine tuberculosis.

#### IDAHO.

Idaho has no legislation with reference to bovine tuberculosis.

#### ILLINOIS.

The law provides for the appointment by the Governor of three practical stock breeders, who shall constitute a Board of Live Stock Commissioners.

The duties of said board shall be to investigate all cases of contagious or infectious diseases coming to their knowledge and, so far as possible, to prevent their spread and provide for their extirpation. Owners of animals so diseased must notify the board, and the board may quarantine.

The board has power to slaughter diseased or exposed animals; to destroy or quarantine all barns, stables, premises, fixtures, etc.; to allow indemnity for slaughtered animals upon agreement or appraisal.

Claims for indemnity for animals slaughtered are made to the board, who shall determine the amount of indemnity, the maximum payment not to exceed \$75 for bovine species.

The Governor shall appoint a State Veterinarian, who shall operate under the direction of the board, and who may appoint assistants.

He may also issue proclamation prohibiting entry into the State of diseased animals, except under prescribed regulations, and transpor-

tation corporations which violate such regulations are subject to a fine of not less than \$1,000 nor more than \$10,000 for each offense.

No person knowing of the existence of contagious or infectious disease among his animals shall conceal such fact; he shall not sell such diseased or exposed animals or remove them from his premises except by order of the board; he shall not import any such animals from another State, or in any way engage in traffic of such animals. The penalty for such violation of these provisions is not less than \$25 nor more than \$200, and imprisonment in county jail until fine and costs are paid for each offense; and he forfeits all right to indemnity.

The sum of \$20,000 is appropriated to pay for property destroyed and for disinfection, and \$5,000 for tuberculin tests and for indemnity for animals responding to the tuberculin test.

#### LAWS.

AN ACT to Revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals, approved June 27, 1885, in force July 1, 1885, as amended by an act approved and in force April 20, 1887, and an act approved June 15, 1887, in force July 1, 1887.

*Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

SECTION 1. That the Governor shall, with the advice and consent of the Senate, appoint three practical stock breeders, not more than two of whom shall be members of the same political party, who shall constitute a Board of Live Stock Commissioners, who shall hold their office in the order in which they are named, the first for one year, the second for two years, and the third for three years; and their successors in office shall be appointed for three years each. Before entering on the duties of their office they shall take and subscribe to an oath of office for the faithful performance of their duties as such commissioners, and shall file the same with the Governor.

SEC. 2. It shall be the duty of said Board of Commissioners to cause to be investigated any and all cases, or alleged cases, coming to their knowledge of contagious and infectious diseases among domestic animals, and to use all proper means to prevent the spread of such diseases and to provide for the extirpation thereof; and in the event of reasonable ground for belief that any such contagious or infectious disease has broken out in this State, it shall be the duty of the person owning or having in charge any animal or animals infected with disease, or any other person having knowledge or reason to suspect the existence of such disease, to immediately notify said Board of Commissioners, or some member thereof, by communication to said board, of the existence of such disease; and thereupon it shall be the duty of said board, or some member thereof, or authorized agent of the board, immediately to cause proper examination thereof to be made, and if said disease shall be found to be a dangerously contagious or dangerously infectious malady, said board or any member thereof, or the State Veterinarian or any Assistant Veterinarian, shall order said diseased animals, and such as have been exposed to contagion, and the premises in which they are, to be strictly quarantined for such time as the board, or any member thereof, or such veterinarian may deem necessary, in charge of such person as the board, or any member thereof, or such veterinarian, shall designate, and they shall have power to order any premises and farms where the disease exists, or has recently existed, as well as exposed premises and farms, to be put in quarantine, so that no domestic animal which has been or

is so diseased, or has been exposed to such contagious or infectious disease, be removed from the places so quarantined, nor allow any healthy animal to be brought therein, except under such rule or regulation as the said board may prescribe; and said board shall prescribe such regulations as they may deem necessary to prevent such disease from being communicated in any way from places quarantined. In all such cases of contagious and infectious disease, the said board, or, in case the number of animals shall not exceed five, any member thereof, shall have power to order the slaughter of all such diseased and exposed animals. The said board shall have power to cause to be destroyed all barns, stables, premises, fixtures, furniture, and personal property infected with any such contagious or infectious disease, so far as in their judgment may be necessary to prevent the spread of such disease, and where the same can not be properly disinfected. When the board, upon the written report of the State Veterinarian, or any of his assistants, determine that any animal is affected with, or has been exposed to, any dangerously contagious or infectious disease, the board, or any member thereof, may agree with the owner upon the value of such animal or property, and in case such agreement can not be made, said board, or the member acting in behalf of the board, may appoint three disinterested citizens of the State to appraise such diseased animal or exposed animals or property. Such appraisers shall subscribe to an oath in writing to fairly value such animal in accordance with the requirements of the act, which oath, together with the valuation fixed by said appraisers, shall be filed with the board and be preserved by them. Upon such appraisement being made, it shall become the duty of the owner to immediately destroy such animal and dispose of the same in accordance with the order of said board, or member thereof, and upon failure so to do said board, or any member thereof, shall cause such animal or animals or property to be destroyed and disposed of, and thereupon the said owner shall forfeit all right to receive the compensation allowed by said appraisers and provided for by this act. When the board, upon the written opinion of the State Veterinarian, determines that any barns, stables, outbuildings, or premises are so infected that the same can not be disinfected, they may quarantine such barns, stables, outbuildings or premises from use for the animals that may be infected by such use, and such quarantine shall continue until removed by the board, and a violation of such quarantine shall be punished as is provided for violations of other quarantine by this act.

SEC. 3. The Governor shall appoint a competent veterinary surgeon, who shall be known as the State Veterinarian, who, together with his assistants, shall act under the direction of said board in carrying out the provisions of this act. In the event of the inability of the said State Veterinarian to perform all the work which he may be directed to do by the said Board of Commissioners, he may, by and with the advice and consent of said board, appoint such other necessary assistant veterinarians upon terms not exceeding that paid the State Veterinarian. The State Veterinarian shall receive for his services the sum of \$3 per day, for each day actually employed under the provisions of this act, together with his necessary expenses, to be certified to by said Board of Commissioners.

SEC. 4. Whenever said Board of Commissioners shall report to the Governor that such diseases have become epidemic in certain localities in other States, or that their condition would render such domestic animals liable to convey such disease, he may, by proclamation, schedule such localities, and prohibit the importation of any live stock of the kind diseased into the State, except under such regulations as may be prescribed by the said board and approved by the Governor. Any corporation which shall knowingly transport, receive, or convey prohibited stock, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$1,000 nor more than \$10,000 for each and every offense, and shall become liable for any and all damage or loss that may be sustained by any party or parties by reason of such importation or transportation of such prohibited



stock. Such penalty shall be recovered in any county in this State into or through which stock is brought, upon information filed in the circuit or county court of any such county, or of the Superior court of Cook County. Any person who, knowing that any contagious or infectious disease exists among his domestic animals, shall conceal such fact, or knowing of the existence of such disease shall sell the animal or animals so diseased, or any exposed animal, or knowing the same, shall remove such diseased or infected animals from his premises to the premises of another, or knowing of the existence of such disease or exposure, shall drive or lead or ship the same by any car or steamboat to any other place in or out of this State, and any person or persons who shall bring any such diseased, or knowingly, shall bring any such exposed animal or animals into this State from another State, and any person or persons who shall knowingly, buy, receive, sell, convey, or engage in the traffic of such diseased or exposed stock, and any person who shall violate any quarantine regulations established under the provisions of this act, shall, for each, either, any, and all acts above mentioned in this section be guilty of a misdemeanor and, on conviction thereof, or of any said acts, shall be fined in any sum not less than \$25 nor more than \$200, and imprisonment in the county jail until the fine and costs are paid, and shall forfeit all right to the compensation for any animal or property destroyed under the provisions of this act. Any veterinary practitioner having information of any contagious or infectious disease in this State, and who shall fail to promptly report such knowledge to the Board of Live Stock Commissioners, shall be fined not exceeding \$500, or be imprisoned in the county jail not more than one year for each offense.

SEC. 5. Whenever said board shall become satisfied that any dangerously contagious or infectious disease among domestic animals exists throughout any municipality or geographical district within this State, and, in their judgment, it is necessary to quarantine such municipality or geographical district in order to prevent the spread of such disease into contiguous territory, they shall report the same to the Governor, who may thereupon by proclamation schedule and quarantine such district, prohibiting all domestic animals of the kind diseased within such district from being removed from one premises to another or over any public highway or any unfenced lot or piece of ground, or from being brought into or taken from such infected district, except upon obtaining a special permit, signed by the Board of Live Stock Commissioners, or members thereof, or agents or officer of the board duly authorized by it to issue such permits; and such proclamation shall from the time of its publication bind all persons. After the publication of aforesaid proclamation, it shall be the duty of every person who owns or is in charge of animals of the kind diseased within the scheduled district to report to said board within one week the number and description of such animals, location, and the name and address of the owner, and during the continuance of such quarantine to report to said board all cases of sickness, deaths, or births among such animals. It shall also be the duty of any and all persons within the scheduled district receiving and purchasing cattle for slaughter to delay the killing of such animals until a veterinary surgeon with authority from said board is present to make a postmortem examination of the carcasses. Any violation of the aforesaid quarantine regulations and duties shall be visited with like penalties, which may be recovered in like manner as is provided for the violation of other quarantine as provided in Section 4 of this act: *Provided*, That nothing contained in this section shall be so construed as to prevent the movement of any animals of the kind diseased through such territory under such regulations as the Board of Live Stock Commissioners may prescribe, and the Governor approve: *And provided further*, That all cattle within the scheduled district slaughtered by order of the board shall not be taken from said district for slaughter.

SEC. 6. Nothing contained in this act, or any section thereof, shall be interpreted so as to prevent the removal or shipment of diseased or exposed animals, under the

orders of the board created by this act, from one place to another by said board or its agents, by driving along the public highway or shipment on cars or steamboats, when, in the opinion of said board, such removal is necessary for the suppression of such contagious or infectious disease.

SEC. 7. Whenever quarantine is established in accordance with the provisions of Section 2 of this act, valid notice of the same may be given by leaving with the owner or occupant of any premises in person, or delivering to any member of his family, or any employee over the age of 10 years found on the premises so quarantined, notice thereof, written or printed, or partly written and partly printed, and, at the same time, explaining the contents thereof. Such quarantine shall be sufficiently proven in any court by the production of a true copy of such notice of quarantine, with a return thereon of the service of the same in the manner above required. Any person violating said quarantine shall be guilty of a misdemeanor and punished as is provided in Section 4 of this act, and on conviction shall be liable for all damage that may result to other persons in consequence of such violation: *Provided*, That anyone feeling himself aggrieved by such quarantine may appeal to the full Board of Commissioners, who shall thereupon sustain, modify, or annul said quarantine as they deem proper.

SEC. 8. All fines recovered under the provisions of this act shall be paid into the county treasury of the county in which the suit is tried by the person collecting the same in the manner now provided by law, to be used for county purposes; and it shall be the duty of State's attorneys in their respective counties to prosecute for all violations of this act.

SEC. 9. All claims against the State arising from the slaughter of animals, as herein provided for, shall be made to said Board of Commissioners, under such rules and regulations as they may prescribe, and it shall be the duty of said Board of Commissioners to determine the amount which shall be paid in each case on account of animals so slaughtered, which, in case of animals of the bovine species, shall be based on the fair cash market value thereof for beef, or for use for dairy purposes, not to exceed \$75 per head, and, in cases of animals of the equine species, on their fair cash market value, not to exceed \$100 per head, and report the same to the Governor; and the Governor shall indorse thereon his order to the State Auditor, who shall thereupon issue his warrant on the State Treasurer for the same.

SEC. 10. Said Board of Commissioners, or any member thereof, and the State Veterinarian and his assistants, in the performance of their duties under this act, shall have power to call on sheriffs and their deputies, constables, and peace officers, mayors of cities, city and town marshals and policemen to assist them in carrying out its provisions, and it is hereby made the duty of all such officers to assist in carrying out the provisions of this act when ordered so to do; and said Commissioners and the State Veterinarian and his assistants shall have, while engaged in carrying out the provisions of this act, the same power and protection that other peace officers have, and any such officer who fails or refuses to enforce the lawful orders and quarantine of said board, or any member thereof, or any veterinarian acting under them, in the proper execution of the powers conferred by this act, shall be deemed guilty of a misdemeanor and punished as provided in Section 4 of this act.

SEC. 11. The said board shall cooperate with any commissioner or other officer appointed by the United States for the suppression of contagious diseases among domestic animals, so far as the provisions of this act and the appropriations made in accordance therewith will allow, in suppressing and preventing the spread of contagious and infectious diseases among domestic animals in this State.

SEC. 12. It shall be the duty of the said Board of Commissioners to keep a record of all their acts and proceedings and report the same to the Governor annually, or oftener if required, for publication. The annual report shall include an item-

ized statement of all sums expended by them under this act, including a statement of all damages recommended by them to be paid for all animals slaughtered, and the amounts paid therefor.

SEC. 13. The members of said board shall each receive the sum of \$5 per day for each day necessarily employed in the discharge of their duties, their necessary expenses, and other incidental expenses necessarily incurred in the performance of their duties under this act, to be paid on certified and itemized vouchers to be approved by the Governor.

SEC. 14. All acts and parts of acts inconsistent herewith are hereby repealed.

[Clause 35 of the general appropriation act of 1899.]

Thirty-fifth. To the Board of Live Stock Commissioners the following sums are hereby appropriated: For salary of Secretary, \$1,800 per annum; to pay the expenses of the commissioners, \$3,000 per annum; for assistant secretary, who shall be a stenographer and typewriter, the sum of \$1,200 per annum; for salary of five agents at the Union Stock Yards (Chicago), one agent at the National Stock Yards (East St. Louis), and one at Peoria, \$9,000 per annum; for janitor and messenger of office, \$720 per annum; for salary of assistant veterinarian at Union Stock Yards, Chicago, \$1,800 per annum; for salary and expenses of State Veterinarian, \$3,500 per annum; for telegraphing, postage, express, and other incidental expenses of the office, \$1,200 per annum; also for paying damages for animals diseased or exposed to contagion slaughtered; for per diem and traveling expenses of assistant State veterinarians and agents, and expenses of the board or its officers incurred in making examinations of the same or in making examinations of any animals supposed to be diseased; for property necessarily destroyed, and for expenses of disinfection of premises when such disinfection is practicable under the provisions of any law of this State for the suppression and prevention of the spread of contagious and infectious diseases among domestic animals, the sum of \$20,000, or so much thereof as may be necessary; and any sums of money that may be received by the Board of Live Stock Commissioners as the net proceeds of sale of the healthy carcasses of slaughtered animals under the provisions of this law shall be paid by them into the State Treasury; also for paying expenses of conducting tuberculin tests among dairy and breeding cattle, and for paying damages for cattle destroyed that respond to the tuberculin test and are diseased with tuberculosis, \$5,000 per annum, or so much thereof as may be necessary, the valuation in such cases to be determined by the board in accordance with the provisions of law, and the amount of damages to be paid in each case to be based upon the value of each animal as disclosed and determined by a postmortem examination.

#### PROCLAMATIONS AND RULES AND REGULATIONS.

In consequence of the second proclamation given herewith, dated August 7, 1900, there are no restrictions on the importation of dairy and breeding cattle now being enforced in Illinois.

Proclamation scheduling localities and territory on account of tuberculosis among dairy and breeding cattle.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
*Springfield, June 13, 1899.*

Whereas I have received from the State Board of Live Stock Commissioners the following communication:

To His Excellency JOHN R. TANNER, *Governor of Illinois:*

SIR: Pursuant to the terms of an act of the General Assembly entitled, "An act to revise the law in relation to the suppression and prevention of the spread

of contagious and infectious diseases among domestic animals," approved June 27, 1885, in force July 1, 1885, as amended by an act approved and in force April 20, 1887, and an act approved June 15, 1887, and in force July 1, 1887, the State Board of Live Stock Commissioners herewith reports to your Excellency the fact that tuberculosis, a dangerously contagious disease, prevails to a greater or less extent among the cattle constituting the dairy and breeding herds of all the States and Territories of the United States, and of foreign countries, and that cattle affected with this disease, being brought into the State of Illinois, are dangerous and liable to communicate said disease to other cattle with which they are brought in contact, and respectfully requests your Excellency to issue a proclamation in pursuance of the terms of said above-entitled act, scheduling all States and territory within the United States, other than the State of Illinois, and all foreign countries, and prohibiting the importation of dairy or breeding cattle (cows, bulls, or calves) therefrom into the State of Illinois, except in accordance with the rules and regulations adopted by this board and herewith submitted for your approval.

We have the honor to be, very respectfully, your obedient servants,  
 J. H. PADDOCK,  
 JAMES P. LOTT,  
 J. M. DARNELL,  
*Commissioners.*

Attest:

C. P. JOHNSON, *Secretary.*

Now, therefore, I, John R. Tanner, Governor of the State of Illinois, as provided by Section 4 of the above-entitled act, do hereby make proclamation of the foregoing facts, and schedule the foregoing territory, to wit:

All of the States and territory of the United States, other than the State of Illinois, and all foreign countries.

And prohibit the importation of dairy or breeding cattle (cows, calves, or bulls, used or intended to be used for dairy or breeding purposes) from the above-described territory into the State of Illinois, except under the regulations hereto attached and made a part hereof, that have been prescribed by the State Board of Live Stock Commissioners and approved by me.

RULES AND REGULATIONS prescribed by the State Board of Live Stock Commissioners of Illinois, governing the importation of dairy and breeding cattle into this State from States and territory scheduled or to be scheduled by the Governor's proclamation with reference to tuberculosis among cattle.

RULE 1. Any shipper or owner of dairy or breeding cattle in States or territory scheduled or to be scheduled by the Governor on account of tuberculosis among cattle, desiring to ship such cattle into the State of Illinois, must, before offering the same for shipment to any railroad or transportation company—which is meant to include boats, ferries, and bridges—or before driving the same into this State, have such cattle tested with tuberculin by a veterinarian recognized by the sanitary authorities of the State in which such owner or shipper resides and authorized by such authorities to make such tests.

RULE 2. Before any such cattle destined for shipment as aforesaid are offered to any railroad company for such shipment, or are driven into the State of Illinois, they must be tested with tuberculin by a veterinary inspector duly authorized by the State Veterinary Sanitary authorities of the State from which such cattle are to be shipped or driven, who has been accepted by the State Board of Live Stock Commissioners of Illinois to make such tests in accordance with the rules of said Board. On the completion of said test, said veterinary inspector shall make out a statement of the temperatures in duplicate of such cattle as shall not show a reaction to the tuberculin test to exceed 1.5 degrees in excess of the highest temperature taken before injecting with tuberculin, filling out properly all blanks therein; he shall certify such statement and when the owner of the cattle shall have made the affidavit on the back thereof that the animals to be shipped are the identical animals referred to in the certificate, said veterinary inspector shall

deliver the original copy of said certificate to said owner and shall mail the duplicate copy thereof to the Secretary of the State Board of Live Stock Commissioners at Springfield, Ill. The shipper may then immediately ship such certified cattle, by presenting the original copy of certificate to the railroad company, to be attached to way bill, memorandum bill, or bill of lading accompanying the shipment. [Note.—Blanks will be furnished on application to the Secretary of the State Board of Live Stock Commissioners, Springfield, Ill.]

RULE 3. In conducting such tuberculin test, the veterinarian shall take at least four preliminary temperatures at intervals of two hours during the day of the evening of injecting, and at least five temperatures at intervals of two hours, commencing ten hours after injection.

RULE 4. No shipment of dairy or breeding cattle destined to any point in the State of Illinois from States and territory described and designated in the proclamation of the Governor aforesaid shall be received by any railroad or transportation company doing business in the State of Illinois from the original shipper or from any connecting railroad or transportation company, unless the same be accompanied by the certificate designated in Rule 2, properly endorsed as provided therein; such certificate to be attached to the way bill, memorandum bill, or bill of lading accompanying the shipment, and to be delivered with said bill to the consignee.

RULE 5. Any dairy or breeding cattle (cows, bulls, or calves) shipped or driven into the State of Illinois from other States and territory designated and described in the Governor's proclamation aforesaid without being accompanied by the certificate aforesaid properly endorsed, will, upon discovery, be placed in quarantine until tested with tuberculin by a veterinarian designated by this board, which test shall be made at the expense of the owner; and any cattle that shall react to such test and be condemned will be destroyed without compensation to the owner.

This proclamation to go into effect and be in force from and after the first day of July, A. D. 1899.

In testimony whereof I hereunto set my hand and cause the great seal of the State of Illinois to be affixed.

Done at the city of Springfield on the day and year first above written.

JOHN R. TANNER, *Governor*.

By the Governor:

JAMES A. ROSE, *Secretary of State*.

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STATE OF ILLINOIS,  
OFFICE OF STATE BOARD OF LIVE STOCK COMMISSIONERS,  
*Springfield, June 22, 1899.*

*To whom it may concern:*

By direction of the Governor, it is herewith ordered that his proclamation with reference to tuberculosis among dairy and breeding cattle destined for shipment into the State of Illinois, and the regulations under said proclamation, shall not be held to apply to cattle to be brought into the State from other States for the purpose of exhibition at the State Fair, or District or County Fairs: *Provided*, That in the event that sales shall be made from such exhibition herds, to remain in the State of Illinois, such cattle so sold shall be first submitted to the tuberculin test before the sale is consummated and the cattle are shipped to their destination.

J. H. PADDOCK,  
J. P. LOTT,  
J. M. DARNELL,  
*Commissioners.*

Attest:

C. P. JOHNSON, *Secretary*.

Approved:

JOHN R. TANNER, *Governor*.

PROCLAMATION temporarily suspending the operation of the regulations contained in the proclamation of the Governor of Illinois with reference to tuberculosis among dairy and breeding cattle, issued June 13, 1899.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,

*Springfield, August 7, 1900.*

Whereas I have received from the State Board of Live Stock Commissioners the following communication:

*SPRINGFIELD, August 6, 1900.*

To His Excellency, JOHN R. TANNER, *Governor of Illinois:*

SIR: Whereas, The Judge of the County Court of Dekalb County, Ill., has, in the trial of a criminal case pending in said court, on change of venue from Kane County, entitled, The People of the State of Illinois vs. Smith Younges, brought for the violation of the quarantine regulations contained in your proclamation of June 13, 1899, with reference to tuberculosis among cattle, held that your said proclamation is void because the report of the State Board of Live Stock Commissioners of Illinois and the representations contained therein upon which said proclamation was based are insufficient and not in compliance with the provisions of the statute in such case made and provided, and

Whereas, In a similar case, pending and on trial in Kane County, entitled, The People of the State of Illinois vs. Elmer Fellows, the Judge of the County Court held that the act under which said proclamation was issued is constitutional and that the proclamation itself is valid, and

Whereas, The aforesaid case, tried in Dekalb County, because of being a criminal prosecution, can not be appealed to the Supreme Court and a Judicial decision of the highest tribunal of the State secured, and

Whereas, A replevin case is now pending in Kane County, growing out of the enforcement of the aforesaid quarantine regulations, that will come up for a hearing in the Circuit Court of Kane County at the September term, and will afford an opportunity for a final decision on the constitutionality of the act in question and the validity of the aforesaid proclamation by the Supreme Court,

The State Board of Live Stock Commissioners of Illinois herewith respectfully recommends to Your Excellency the issuance of a proclamation suspending the operation of your proclamation of June 13, 1899, scheduling all States and territory of the United States, other than the State of Illinois, and all foreign countries, and prohibiting the importation of cattle therefrom into the State of Illinois until such cattle shall be tested with tuberculin, etc., until a decision is procured from the Supreme Court in the case now pending, above referred to, as to the constitutionality of the law and validity of said proclamation.

We have the honor to be, very respectfully, your obedient servants,

J. H. PADDOCK,  
JAMES P. LOTT,  
J. M. DARNELL,

*State Board of Live Stock Commissioners.*

Attest:

C. P. JOHNSON, *Secretary.*

Now, therefore, I, John R. Tanner, Governor of the State of Illinois, do hereby make proclamation in pursuance of the recommendations contained in the foregoing communication, and hereby suspend the further operation of my proclamation scheduling localities and territory on account of tuberculosis among dairy and breeding cattle, dated and issued at Springfield, June 13, 1899, until such time as the Supreme Court shall pass upon the constitutionality of the act by authority of which said proclamation was issued, and the validity of said proclamation: *Provided*, That nothing in this proclamation shall be construed so as prevent the prosecution or defense of any litigation now pending, growing out of the enforcement of the quarantine regulations in said proclamation of June 13, 1899.

This proclamation to go into effect and be in force from and after date of the issuance thereof.

In testimony whereof, I hereunto set my hand and cause the great seal of the State of Illinois to be affixed.

Done at the city of Springfield this 7th day of August, A. D. 1900.

JOHN R. TANNER, *Governor.*

By the Governor:

JAMES A. ROSE, *Secretary of State.*

RULES of the State Board of Live Stock Commissioners of Illinois regarding investigation of tuberculosis among dairy and breeding cattle, and making compensation.

WHEREAS, The Forty-first General Assembly has made an appropriation to this Board for the payment of damages to the owners of dairy and breeding cattle affected with tuberculosis, as determined by the tuberculin test, therefore, in pursuance of the terms of the clause making such appropriation aforesaid,

*Resolved*, That the following rules governing the investigation of the reported or suspected cases of tuberculosis among cattle, and for determining the compensation in each case to be made, be, and the same are hereby, adopted:

RULE 1. All cases of supposed tuberculosis among dairy or breeding cattle reported to this board, or any member or officer thereof, State Veterinarian, or any Assistant State Veterinarian or agent of the board, shall be investigated under the direction of the board, and if upon clinical examination by the veterinarian designated to make such examination sufficient evidence of the existence of tuberculosis in any animal of any herd shall appear, the affected animal, together with all the exposures, shall be placed in quarantine until the entire herd is tested with tuberculin under the direction of the board.

RULE 2. All animals in any herd tested with tuberculin that shall give a reaction in temperature of 2 or more degrees (where such reaction is, in the opinion of the veterinarian in charge, due to the tuberculin) shall be deemed affected with tuberculosis, isolated from the balance of the herd, and held in quarantine until slaughtered and examined postmortem. All animals that react 1.5 degrees and less than 2 degrees shall be isolated and held in quarantine for a retest.

RULE 3. For the purpose of fixing and determining the value of animals to be slaughtered because of reaction to the tuberculin test, and for determining the amount of compensation to the owner to be certified in each case, animals tested and taken for slaughter shall be divided into six classes, to be known as follows: Class A, Class B, Class C, Class D, Class E, and Class F, and the class to which any animal belongs shall be determined by the State Veterinarian (or the Assistant State Veterinarian in charge of the postmortem inspection), who shall be guided in such determination by the appearance and condition of the internal organs of each animal upon postmortem inspection.

Class A shall include all animals that shall, upon postmortem examination, fail to disclose the presence of tuberculosis in any of their organs.

Class B shall include all animals affected with the disease in its incipient stage.

Class C shall include all animals apparently affected for a period of one year.

Class D shall include all animals apparently affected for a period of two years.

Class E shall include all animals apparently affected for a period of three years.

Class F shall include all animals apparently affected for a period of more than three years.

For all animals of the A Class the owner shall be entitled to the full amount of the appraisement.

For all animals of the B Class he shall be entitled to receive 75 per cent of the appraisement.

For all animals of the C Class he shall be entitled to receive 50 per cent of the appraisement.

For all animals of the D Class he shall be entitled to receive 35 per cent of the appraisement.

For all animals of the E Class he shall be entitled to receive 25 per cent of the appraisement.

For all animals of the F Class he shall be entitled to receive 15 per cent of the appraisement.

*Provided*, That in the event that the proceeds from any carcass shall exceed the percentage of valuation determined, the owner shall receive the full amount of such proceeds.

## INDIANA.

Indiana has a general law concerning contagious diseases among domestic animals, but the only work done in connection with tuberculosis is in making examinations, when requested, in cases where a veterinarian's certificate is required to accompany cattle entering from another State.

The law under which the Live Stock Sanitary Commission is operating and the rules governing the work of the commission are given below:

## LAW.

## [CHAPTER 212.]

AN ACT to provide for a Live Stock Sanitary Commission and a State Veterinarian, and to prescribe their powers and duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency. (Approved March 9, 1889.)

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana, That* a commission is hereby established which shall be known under the name and style of "The State Live Stock Sanitary Commission." The commission shall consist of three commissioners who are practical agriculturists and engaged in and identified with the live stock interests of the State. One of said commissioners shall be elected for a term of four years, one for a term of three years, and one for the term of two years, whose terms of office shall commence upon the taking and filing with the Secretary of State the oath of office herein provided for, and shall continue in office until their successors are elected and qualified. The said Live Stock Sanitary Commission, as soon as practicable after its organization, [shall] appoint an experienced, competent, and skilled veterinary surgeon for the State, who at the time of his appointment shall be a graduate in good standing of a recognized college of veterinary surgery, who shall hold his office for the term of two years, and until his successor shall be appointed and qualified, unless for cause he shall be sooner removed from said office by order of said commission.

SEC. 2. Immediately on the taking effect of this act the State Board of Agriculture shall nominate and the Governor confirm the appointment of three commissioners, as provided for in Section 1 of this act, and during the annual meeting of the State Board of Agriculture immediately preceding the expiration of the term of any commissioner his successor shall be nominated and confirmed by the Governor for a term of four years.

SEC. 3. Said commissioners and veterinary surgeons, before they enter upon the duties of their said offices, shall each take and subscribe an oath of office similar in form to that required of State officers, and file the same with the Secretary of State.

SEC. 4. Each commissioner shall receive the sum of \$4 per day and necessary expenses for the time necessarily spent in the discharge of the duties herein required of him, and the said veterinary surgeon shall receive such sum for his services as said commission may from time to time allow him, not to exceed in any one year the rate of \$2,000 per year, and never to equal that amount unless said commission should require his entire time to be devoted to said service during said year.

SEC. 5. It shall be the duty of said commission to protect the health of the domestic animals of the State from all contagious or infectious diseases of a malignant character, and for this purpose said commission is hereby authorized and empowered to establish, maintain, and enforce such quarantine, sanitary,



and other regulations as it may deem necessary: *Provided*, That the provisions of this act shall not apply to swine.

SEC. 6. It shall be the duty of any person who discovers, or has reason to believe, that any domestic animal belonging to him or her, in his care, or that may come under his observation belonging to other parties, is infected with any disease supposed to be dangerous, contagious, or infectious, to immediately report such fact to the secretary of the board of health of the county where such animal is situated, whose duty it shall be to report the fact to said Sanitary Commission.

SEC. 7. It shall be the duty of said secretary of such county board of health to keep a record of all cases so reported to him, including the age, sex, and distinguishing characteristics of such animals, and it shall be the duty of such secretary of said board of health to immediately examine, either in person or by a qualified person appointed by him for that purpose, all animals so reported to be diseased, and if they find that said animal or animals are affected with a contagious disease, to immediately report the same to said commission, or some member thereof, and the said secretary shall promptly take such measures as he shall deem most expedient to prevent the spread of the disease until said commission shall be able to relieve him from the charge and care of such animal or animals. All the necessary expenses necessarily incurred by said secretary of such board of health and his agents in carrying out the provisions of this act shall be paid in the same manner as are those of the commission.

SEC. 8. The commission, or any member thereof to whom the existence of any infectious or contagious disease of domestic animal or animals is reported, shall forthwith proceed to the place where such domestic animal or animals are and examine the same, and if in his or their opinion any infectious or contagious disease exists, he or they shall prescribe such temporary quarantine and regulations as will prevent the spread of the contagion or infection, and notify the State Veterinarian, who shall forthwith proceed to the place where the said contagious or infectious disease is said to exist, and examine said animal or animals and report his finding to said commission, who shall at once prescribe and apply such rules and regulations as in their judgment the exigencies of the case may require for the effectual suppression and eradication of the disease; and for that purpose the said commission may list and describe the domestic animals affected with such disease, and those which have been exposed thereto, and include within the affected district or premises so defined and quarantined with reasonable certainty as would lead to their identification, and no domestic animal liable to become infected with the disease, or capable of communicating the same, shall be permitted to enter or leave the district, premises, or grounds so quarantined, except by authority of the commission. The said commission shall also, from time to time, give and enforce such directions and prescribe such rules and regulations as to separating, mode of handling, treating, feeding, and caring for such diseased and exposed animals as shall be necessary to prevent the two classes of animals from coming in contact with each other, and perfectly isolate them from all other domestic animals of the same class which have not been exposed thereto, and which are susceptible to becoming infected with the disease: and the said commission and veterinarian are hereby authorized and empowered to enter upon any ground or premises, and into any building upon such premises, when and wherever it may be necessary to enter, to fully carry out the provisions of this act. When in the opinion of said commission it shall be necessary, in order to prevent the further spread of any contagious or infectious disease among the live stock of the State, to destroy animals affected with or which have been exposed to any such disease, it shall determine what animals shall be slaughtered, and appraise the same, as hereinafter provided, and cause the same to be slaughtered and the carcasses disposed of as in their judgment will best protect the health of domestic animals in that locality.

SEC. 9. When the commission shall have determined the quarantine and other regulations necessary to prevent the spread among domestic animals of any malignant, contagious, or infectious disease found to exist among the live stock of the State and given their orders as hereinbefore provided, prescribing quarantine and other regulations, it shall notify the Governor of the State thereof, whose duty it shall be to at once issue his proclamation proclaiming the boundary of such quarantine as fixed by such commission, together with the orders, rules, and regulations prescribed by said commission, which proclamation may be published by written or printed handbills posted within the boundaries or on the lines of the district, premises, places, or grounds quarantined: *Provided, however,* That if the commission decide that it is not necessary, by reason of the limited extent of the district in which such diseases exist, that a proclamation should be issued, then none shall be issued, but such commission shall give such notice as may to it seem best to make the quarantine established by it effective.

SEC. 10. Whenever said commission shall direct the killing of any domestic animal or animals, it shall be the duty of the commissioners to appraise the animal or animals condemned, and in fixing the value thereof the commissioners shall be governed by the value of said animal or animals at the date of appraisement.

SEC. 11. When any live stock shall be appraised and killed by order of the commission, it shall issue to the owner of said stock so slaughtered a certificate showing the number and kind of animals killed, for what reason killed, and the amount, in their judgment, to which the owner is entitled for said animals from the State, and report the same to the Governor of the State, which certificate, if approved by the Governor, shall be presented to the Auditor of State, who shall draw his warrant therefor on the State Treasury, payable out of any moneys in the Treasury not otherwise appropriated.

SEC. 12. When any animal or animals are slaughtered under the provisions of this act by order of the commission, the owner thereof shall be paid therefor the appraised value as fixed by the appraisement hereinbefore provided for: *Provided, however,* That the right to payment for animals slaughtered by order of the commission under the provisions of this act shall not extend to the owners of animals which have been brought into the State in a diseased condition, or from a State, country, territory, or district in which the disease with which the animal is affected, or to which it has been exposed, exists. Nor shall any animal be paid for by the State which may have been brought into the State in violation of any law or quarantine regulation thereof, or the owner of which shall have violated any of the provisions of this act, or disregarded any rule, regulation, or order of the Live Stock Sanitary Commission, or any member thereof, made under the provisions of this act. Nor shall any animal be paid for by the State which came into the possession of the claimant with the claimant's knowledge that such animal was diseased, or was suspected of any disease, or having been exposed to any contagious or infectious disease.

SEC. 13. Any person who shall have in his possession any domestic animal affected with any contagious or infectious disease, knowing such animal to be so affected, or, after having received notice that such animal is so affected, who shall permit such animal to run at large, or who shall keep such animal where other domestic animals not affected by, or previously exposed to, such disease may be exposed to its contagion or infection, or who shall sell, ship, drive, trade, or give away such diseased 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 establishing or regulating any quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$10 nor more than \$500 for each of such diseased or exposed domestic animals which he shall have thus permitted to run at large, sell, ship, drive, trade, or give away in violation of the provisions of this act: *Provided,* That

any owner of any domestic animal which has been with or exposed to any contagious or infectious diseases may dispose of the same after having obtained from the State Veterinarian a certificate of health for such animal or animals.

SEC. 14. Any person or corporation who shall knowingly bring into the State any domestic animal or animals which are infected with any contagious or infectious disease, or any animal or animals which have been exposed to any such contagious or infectious disease shall, for every such offense, forfeit and pay to the State not less than \$100 nor more than \$500, to be recovered by suit in the name of the State.

SEC. 15. Any person who owns or is in possession of live stock which is infected, or which is reported under the provisions of this act to be infected with any contagious or infectious disease, who shall wilfully prevent or refuse to allow the State Veterinarian or commission or other authorized officer or officers to examine such stock, or shall hinder or obstruct the State Veterinarian or other authorized officer or officers in any examination of or in any attempts to examine such stock, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$10 nor more than \$500.

SEC. 16. Any person who shall knowingly violate, disregard, evade, or attempt to violate, disregard, or evade any of the provisions of this act, or who shall knowingly violate, disregard, or evade any of the rules, regulations, orders, or directions of the Live Stock Sanitary Commission establishing and governing quarantine shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than \$10 nor more than \$500.

SEC. 17. The commission provided for in this act shall have power to employ at the expense of the State such persons and purchase such supplies and materials as may be necessary to carry into full effect all necessary orders given by it.

SEC. 18. The commissioners shall have power to call upon any sheriff, deputy sheriff, or constable to execute their orders, and such officers shall obey the orders of said commissioners, and the officers performing such duties shall receive compensation therefor as is provided by law for like services, and shall be paid therefor in like manner as other expenses of said commission are paid. And any officer may arrest and take before any justice of the peace of the county any person found violating any of the provisions of this act, and such officer shall immediately notify the prosecuting attorney of such arrest, whose duty it shall be to prosecute the person so offending according to law.

SEC. 19. Whenever the Governor of the State shall have good reason to believe that dangerous, contagious, or infectious disease has become epizootic in certain localities in other States, Territories, or countries, or that there are conditions which render such domestic animals from such infected districts liable to convey such disease, he shall by proclamation prohibit the importation of any live stock of the kind diseased into the State, unless accompanied by a certificate of health given by a duly authorized veterinary surgeon, and all such animals arriving in this State shall be examined immediately by said commission or some member thereof, and if he or they deem it necessary, he or they shall have said animal inspected by the State Veterinary Surgeon, and if, in his opinion, there is any danger of contagion or infection, they shall be placed in close quarantine until such danger of contagion or infection is passed, when they shall be released by order of said commission or some member thereof.

SEC. 20. For the purposes of this act, each member of the Live Stock Sanitary Commission is hereby authorized to administer oaths and affirmations.

SEC. 21. The commission is hereby authorized and required to cooperate with any board, commission, or officer acting under any present or future act of the Congress of the United States for the suppression and prevention of contagious and infectious diseases among domestic animals, and the same right of entry, inspection, and condemnation of diseased animals upon private premises is hereby

granted to the United States board, commission, or officer as is hereby granted to the State Live Stock Sanitary Commission.

SEC. 22. Whenever it is deemed necessary by the State Live Stock Sanitary Commission to supervise and inspect any of the lines of transportation in this State and the stock yards in connection with the same, suitable inspectors shall be appointed by said commission whose duty it shall be to examine such lines of transportation and stock yards as to condition, manner of transporting stock, and such other matters as such commission may direct, and report such examination in detail to said commission, and the expense of such examination shall be paid by the corporation or corporations or individuals in charge of such lines of transportation or stock yards. Any such corporation, corporations, or individuals owning or operating such lines of transportation or stock yards shall conform promptly to all regulations made by said Sanitary Commission of which they shall have notice from such commission, and for any neglect or omission to comply with such regulations as herein provided, they shall be subject to the fines and penalties in this act provided, to be enforced and collected according to the provisions of this act.

SEC. 23. That whenever by act of the Congress of the United States the payment of the appraised value of domestic animals slaughtered for the purpose of preventing the spread of infectious and contagious diseases among any class or classes of domestic animals in the several States shall have been provided, and the necessary appropriation for such payment out of the National Treasury made by such act of Congress, then, from and after that date there shall be no further payment made out of the State Treasury for domestic animals of the class or classes payment for which is so provided by said act or acts of Congress, by order of said State Live Stock Sanitary Commission.

SEC. 24. The State Live Stock Sanitary Commission shall make annually a detailed report of its doings to the Governor, which report shall by the Governor be transmitted to the Legislature at its next regular or called session.

SEC. 25. That an emergency exists for the immediate taking effect of this act; therefore, the same shall be in force from and after its passage.

## RULES.

### RULES OF THE STATE LIVE STOCK SANITARY COMMISSION.

1. Upon reliable information that any domestic animal is infected with any dangerously contagious or infectious disease, the case must at once be reported to the secretary of the county board of health of the county in which the case exists, and said secretary shall at once notify the secretary of this commission. A failure to comply with the above will render the party liable to be prosecuted under the laws of the State of Indiana provided in such cases.

2. When any horse, mule, ass, cattle, or sheep is reported to be infected with any dangerously contagious or infectious disease, said secretary or any member of the Live Stock Sanitary Commission shall at once notify the State Veterinarian of such report, who shall at once visit the premises where such animals are and thoroughly examine the same, and if, upon examination, he is satisfied that the disease is a dangerously contagious or infectious disease he shall quarantine the animal or animals and premises, and also quarantine all animals or premises that have been exposed to such disease, and promptly notify the commission of his action, accompanying the same with all the correspondence relative to the case, and also notify the owner of his opinion.

3. All quarantines established by the State or an Assistant State Veterinarian shall continue in force until removed by order of the commission. Parties whose animals are quarantined under the provisions of this law may have the same

released from quarantine by making satisfactory proof to the commission that the cause for which such quarantine was originally declared no longer exists.

4. The State Veterinarian or secretaries of county boards of health making reports of investigation shall give the name and post office address of the owner of animals inspected, location of such animals, date of inspection, complete description of animals diseased and of animals exposed, a description of the exposure to which they have been subjected, the condition of the diseased animals, the name and address of the nearest constable, and the time employed in such investigation. The report must be accompanied by an exact duplicate of the quarantine notice served, with return made thereon of the manner of service, and all correspondence relative to the cause. Said report must be addressed to the Live Stock Sanitary Commissioners of the State of Indiana, and directed to the secretary at Lafayette, Indiana. Proper blanks will be furnished upon application to the secretary.

5. Whenever it shall come to the knowledge of the secretary of the county board of health that animals have been brought into his locality from a State or county known or believed to be infected, against which the Governor of the State has proclaimed, he shall immediately notify the secretary of this commission of the facts so far as he knows them covering the following points, viz: Locality from whence such animals came, name and post-office of owner or person in charge, if shipped by railroad or boat, giving names of same, time of arrival, number, age, sex, and breed of animals, so far as it is practicable to ascertain.

6. The commission will not approve the claim for any animals destroyed unless they were so destroyed by the order of some member of the commission, having first been appraised by them.

7. When it is deemed necessary, any member of the commission may appoint any local veterinarian to do any service in examining, treating, and caring for diseased animals, and no bill for services, examinations, or for materials and expenses will be recognized unless first ordered by some one of the commission.

8. Assistant State Veterinarians, when appointed by the commission to do special work, shall be entitled to receive for their services \$3 per day and necessary expenses; but in no case shall they receive more than \$4 per day and necessary expenses while engaged in the public service; neither shall they be permitted to make any charge nor receive any compensation from a private individual during the time they are actually employed and paid by the State. Nor will any bill for services or expenses be approved unless so ordered by some member of the commission.

9. Any person desiring to ship any animal or animals from this State to another State, the authorities of which require health certificates to accompany such animal or animals, may call upon the State Veterinarian, or some one authorized by this commission, and request him to inspect such animal or animals. It shall thereupon be the duty of such veterinarian to at once make such inspection, and if he finds the animal or animals to be healthy and to come from a locality wherein there does not, nor has not for four months preceding, existed any case of contagious disease among the kind of animals in question, he shall give to the owner of such animal or animals a certificate of health, specifying the number, sex, and breed of such animal or animals. For such services said veterinarian shall be entitled to receive from the owner the same compensation as herein allowed him by the State, together with his necessary expenses in going from and to his regular place of business or abode. In no case shall the State be liable for the cost of such services; neither shall the veterinarian receive from any private person for such service a compensation greater than herein authorized. Any violation of this provision shall be considered sufficient ground for dismissal from the service of the State. At the end of each month veterinarians making such inspections are required to make a tabulated report of the same to the secretary of this commission.

## IOWA.

A veterinary surgeon, appointed by the Governor, has supervision of all contagious and infectious diseases among domestic animals, and, with the concurrence of the State Board of Health, "may make such rules and regulations as he may regard necessary for the prevention and suppression and against the spread" of said diseases. These rules and regulations require the concurrence of the executive council for publication and enforcement.

The veterinarian makes investigations of animals upon the order of the Governor; he may destroy diseased animals under certain conditions, paying for them their actual value in their condition when condemned. An appeal may be taken to the district court by either party if a condemned animal is found not to be diseased and the indemnity exceeds \$25. No indemnity shall be paid for animals destroyed while in transit across the State.

The authorities are empowered to cooperate with the United States authorities in the prevention or eradication of infectious or contagious diseases.

## LAW.

## [CHAPTER 14, TITLE 12, CODE.]

SEC. 2529. The State Veterinary Surgeon shall be appointed by the Governor, subject to removal by him for cause, who shall hold office for three years. He shall be a graduate of some regularly established veterinary college, skilled in that science, and shall be by virtue of his office a member of the State Board of Health.

SEC. 2530. He shall have supervision of all contagious and infectious diseases among domestic animals in, or being driven or transported through, the State, and is empowered to establish quarantine against animals thus diseased or that have been exposed to others thus diseased, whether within or without the State, and with the concurrence of the State Board of Health may make such rules and regulations as he may regard necessary for the prevention and suppression, and against the spread of said disease or diseases, which rules and regulations, the executive council concurring, shall be published and enforced, and in the performance of his duties he may call for the assistance of any peace officer.

SEC. 2531. Any person who wilfully hinders, obstructs, or resists said Veterinary Surgeon, his assistants, or any peace officer acting under him or them when engaged in the duties or exercising the powers herein conferred, or violates any quarantine established by him or them, shall be guilty of a misdemeanor.

SEC. 2532. Said surgeon shall biennially make a full and detailed report of his doings since his last report to the Governor, including his compensation and expenses, which report shall not exceed 150 pages of printed matter.

SEC. 2533. Whenever a majority of any board of supervisors or township trustees, or any city or town council, whether in session or not, shall in writing notify the Governor of the prevalence of, or probable danger from, any of said diseases, he shall notify the Veterinary Surgeon, who shall at once repair to the place designated in said notice and take such action as the exigencies may demand, and the Governor may, in case of emergency, appoint a substitute or assistants with like qualifications and with equal powers and compensation.

SEC. 2534. Whenever in the opinion of the State Veterinary Surgeon the public safety demands the destruction of any stock, the same may be destroyed upon the

written order of such surgeon, with the consent of the owner, or upon approval of the Governor, and by virtue of such order such surgeon, his deputy or assistant, or any peace officer may destroy such diseased stock, and the owner thereof shall be entitled to receive its actual value in its condition when condemned, to be ascertained and fixed by the State Veterinary Surgeon and the nearest justice of the peace, who, if unable to agree, shall call upon the nearest, or other justice of the peace upon whom they agree as umpire, and their judgment shall be final when the value of the stock, if not diseased, would not exceed \$25; but in all other cases either party shall have the right of appeal to the district court, but such appeal shall not delay the destruction of the diseased animals. The Veterinary Surgeon shall at once file with the Governor his written report thereof, who shall, if found correct, indorse his finding thereon, whereupon the Auditor of State shall issue his warrant therefor upon the Treasurer of State, who shall pay the same out of any moneys at his disposal under the provisions of this act, but no compensation shall be allowed for stock destroyed while in transit through or across the State, and the word "stock," as herein used, shall be held to mean cattle, horses, mules, and asses.

SEC. 2535. The Governor, with the Veterinary Surgeon, may cooperate with the Government of the United States for the objects of this chapter, and the Governor may accept and receipt for any moneys receivable by the State under the provisions of any act of Congress which may at any time be in force upon this subject and pay the same into the State treasury to be used according to the act of Congress and the provisions of this chapter as nearly as may be.

SEC. 2536. There is annually appropriated, out of any moneys not otherwise appropriated, the sum of \$3,000, or so much thereof as may be necessary, for the uses and purposes herein set forth.

SEC. 2537. Any person, except the Veterinary Surgeon, called upon under the provisions of this chapter, shall be allowed and received \$2 per day while actually employed.

SEC. 2538. When engaged in the discharge of his duties the Veterinary Surgeon shall receive the sum of \$5 per day and his actual expenses, the claim therefor to be itemized, verified, accompanied with written vouchers, and filed with the State Auditor, who shall allow the same and draw his warrant upon the treasury therefor.

#### RULES AND REGULATIONS.

Rules and regulations for the control of contagious and infectious diseases of animals were issued on January 19, 1898, but the only reference to bovine tuberculosis is in Rule 12, which is as follows:

RULE 12. In suspected cases of bovine tuberculosis the tuberculin test shall be recognized as a valuable diagnostic.

The report of the veterinarian for the biennial period ended June 30, 1899, contains the following as rules which "should be adopted by all who desire to have healthy animals and their dairy products free from taint of any kind." These were also published as information by the State Board of Health in Circular No. 5—1900:

#### DIRECTIONS FOR DISINFECTING DAIRY BARNs AND FOR THE CARE OF MILK.

1. Clean out all litter, excrement, rejected fodder, cobwebs, and dust, thoroughly sweeping down the walls and ceilings.
2. Spray ceiling, walls, and floor with a solution of bichloride and water, one to five hundred.

3. Thoroughly whitewash all parts of the barn with a wash containing one-quarter of a pound of carbolic acid and a pound and one-half of lime to a gallon of water.

4. See that the drainage from under the floors is sufficient to carry away all refuse matter. This is an important factor in keeping a healthy, clean barn.

5. See that all manure is carted away daily. We find in some instances great piles of heating manure against the outside walls, and the offensive fumes therefrom permeating all parts of the barn.

6. See that the watering troughs are cleansed two or three times a week, and only pure water given the dairy cow.

After milking each cow the milk should be carried to a scrupulously clean milk room, and there strained and cooled. It should be stirred frequently until thoroughly cooled. A can of milk may be placed in a refrigerator and allowed to cool without stirring and it is certain to have a bad odor and taste, but with proper stirring while cooling this will be prevented.

### KANSAS.

Kansas has no specific laws relative to tuberculosis, but rules and regulations were issued by the State Sanitary Commission on March 1, 1900, which were the basis of a proclamation by the Governor on March 5, 1900. However, a second proclamation, raising quarantine established by the first, was made on October 17, 1900, due to a decision of a court in Illinois adverse to tuberculosis regulations. This action was taken because Illinois had suspended all rules and regulations pending a decision of the supreme court, and because Missouri had done likewise.

The proclamations are given herewith:

#### PROCLAMATIONS.

TOPEKA, KANS., *March 1, 1900.*

To His Excellency W. E. STANLEY, *Governor of Kansas:*

For the better protection of the domestic animals of the State of Kansas, and to prevent the spread of contagious and infectious diseases among same, we herewith report to your excellency the fact that tuberculosis, a dangerous and contagious disease, prevails to a greater or less extent among the cattle constituting the dairy and breeding herds of the States hereinafter named, and that cattle affected with this disease are being brought into the State of Kansas, and are liable to communicate said disease to other cattle with which they are brought in contact. Therefore we respectfully request your excellency to issue a proclamation prohibiting the importation of cattle from the States hereinafter named, except in accordance with the rules and regulations adopted by this board and herewith submitted to you for your approval.

M. C. CAMPBELL,  
TAYLOR RIDDLE,  
F. H. CHAMBERLAIN,

*Members Live Stock Sanitary Commission.*

Whereas the Live Stock Sanitary Commission of the State of Kansas on March 1, 1900, adopted the following rules and regulations:

Whereas the Live Stock Sanitary Commission of the State of Kansas have ascertained that a great many of the breeding and dairy cattle in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York,



New Jersey, Delaware, Pennsylvania, Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, and Nebraska are infected with a contagious and infectious disease in cattle known as tuberculosis, and that some of said cattle are being shipped into the State of Kansas for breeding and dairy purposes, it is therefore ordered:

First. That from and after this date it shall be unlawful for any cattle to be shipped, driven, or transported from the above-named States into the State of Kansas for breeding or dairy purposes: *Provided, however,* That shipments may be made from such States into the State of Kansas for breeding and dairy purposes after said cattle have been examined and found free of tuberculosis and a permit and bill of health given by a veterinarian of the United States Bureau of Animal Industry, or a veterinarian acting under the order and direction of the Live Stock Sanitary Board of any of the above-named States, and the certificate so given by such veterinarians shall be given in duplicate, the original of which shall be forwarded to the Secretary of the Live Stock Sanitary Commission, Topeka, Kans., and the duplicate given to the railroad company, to be attached to the bill of lading for said cattle. And no railroad company shall accept any such cattle nor bring nor ship any such cattle into the State of Kansas from any of the above-named States for breeding or dairy purposes without the certificate and bill of health herein provided for; and no railroad company shall accept from its connecting lines any cattle shipped in violation of this provision.

Second. *Provided, however,* That native cattle of the State of Nebraska may be moved into the State of Kansas upon the owner or person in charge thereof making affidavit, stating, in substance, that said cattle are natives of said State, and that said cattle have not been in any of the States above named for a year immediately preceding the making of said affidavit. Said affidavit shall be made before some officer authorized to administer oaths, and the above affidavit so made shall be given in duplicate, the original of which shall be forwarded to the Secretary of the Live Stock Sanitary Commission, Topeka, Kans., and the duplicate shall be given to the owner or person in charge of said cattle, to be attached to the bill of lading for said cattle, or carried by the owner or person in charge when driven in; and no railroad company shall accept any such cattle for shipment, nor bring nor ship any such cattle into the State of Kansas for breeding or dairy purposes from the State of Nebraska, nor accept from its connecting lines any cattle shipped in violation of this provision.

Third. Cattle brought into Kansas from any of the above-named States for the purpose of exhibition at county, district, or State fairs shall not be subject to the above regulations: *Provided, however,* That in the event sales shall be made from such exhibition, and the cattle destined to points in Kansas, the animal sold shall be submitted to the tuberculin test before the sale is consummated or the cattle moved or shipped to their destination. In case the test should show any such animals to be affected with tuberculosis, a permit for shipment to any point in this State shall not be granted.

Fourth. All railroad, live stock, transportation, and stock-yard companies, and their employees, and all other persons, are hereby forbidden to transport, drive, or in any way handle cattle in Kansas, except in compliance with the foregoing rules, under the pains and penalties of the following statute:

Extract of Chapter 2, Session Laws of 1884: "SEC. 21. Any person who shall violate, disregard, or evade, or attempt to violate, disregard, or evade, any of the \* \* \* rules and regulations, orders or directions of the Live Stock Sanitary Commission establishing and governing quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$100 or more than \$5,000."

Sheriffs, constables, and police officers in Kansas are hereby directed to enforce these regulations, and to report any violations of same to this commission.

In testimony whereof I hereby set my hand, and cause to be affixed the great seal of the State of Kansas.

Done at Topeka, Kans., this 5th day of March, 1900.

W. E. STANLEY, *Governor of Kansas.*

By the Governor:

GEO. A. CLARK, *Secretary of State.*

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PROCLAMATION RAISING QUARANTINE.

STATE OF KANSAS, EXECUTIVE DEPARTMENT.

Whereas on the 13th day of October, A. D. 1900, the Live Stock Sanitary Commission of the State of Kansas made the following recommendation, to wit:

To the GOVERNOR OF THE STATE OF KANSAS:

Pending a decision of the supreme court of the State of Illinois as to the legality of the rules and regulations of the State governing the movement of cattle, and requiring the application of tuberculin to ascertain whether or not the cattle are afflicted with tuberculosis, the Live Stock Sanitary Commission of Illinois have suspended their rules and regulations. The Live Stock Sanitary Commission of the State of Missouri have done likewise: and at a meeting of the Live Stock Sanitary Commission of Kansas, held at our office October 11, 1900, it was unanimously decided to recommend to your excellency to suspend the rules and regulations promulgated by you March 1, 1900, scheduling the following States, to wit, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, and Nebraska, and by so doing to permit cattle from said scheduled States to enter Kansas without restrictions.

M. C. CAMPBELL, *Chairman.*

Now, therefore, I, W. E. Stanley, Governor of the State of Kansas, in accordance with said recommendation of the Live Stock Sanitary Commission, do hereby proclaim and declare that the quarantine established March 1, 1900, as aforesaid, against the introduction of cattle into the State of Kansas from the said States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, and Nebraska be, and the same is hereby, raised, and that said rules and regulations promulgated March 1, 1900, be suspended from and after this date.

In testimony whereof I have hereunto subscribed my name and caused to be affixed the great seal of the State of Kansas. Done at Topeka this 17th day of October, A. D. 1900.

W. E. STANLEY, *Governor.*

Attest:

GEO. A. CLARK, *Secretary of State.*

KENTUCKY.

There is no specific law in Kentucky relative to bovine tuberculosis, but the general law against contagious and infectious diseases affecting cattle is broad enough to embrace tuberculosis.

The State Board of Health is charged with the enforcement of the law against contagious or infectious diseases, and it is made their duty promptly to take measures for suppressing or preventing their spread. They may issue a proclamation stating that such a disease exists within the State, naming the locality, and ordering owners of

affected stock to seclude the same. The farms or premises where such disease exists may be quarantined by the board and issue such regulations concerning the quarantine as they may deem necessary. The board may prescribe regulations for the destruction of diseased animals. No animal, however, shall be killed until after examination by a veterinarian in the employ of the board. Indemnity is not provided.

## LAW.

## [CHAPTER 5, ARTICLE II, KENTUCKY STATUTES.]

SECTION 48. Whenever any contagious or infectious disease affecting cattle shall exist in this State, it shall be the duty of the State Board of Health to take measures to promptly suppress and effectively prevent the same from spreading.

SEC. 49. For such purposes the State Board of Health shall have power to issue their proclamation, stating that infectious or contagious disease exists in any county or counties of the State, and warning all persons to seclude all animals in their possession that are affected with such disease, or have been exposed thereto, and ordering all persons to take such precautions against the spreading of such disease as the nature thereof may, in their judgment, render necessary or expedient; to order that any premises, farm or farms where such disease exists, or has existed, be put in quarantine at the owner's expense, so that no cattle be removed from or brought to the premises so quarantined, and to prescribe such regulations concerning the mode of quarantine as they may judge necessary or expedient to prevent infection or contagion being communicated in any way from the places so quarantined; to call on the sheriffs and deputy sheriffs to assist in enforcing and carrying out the provisions of said proclamations and orders, whose duty it shall be to observe and obey all of said orders and proclamations; to employ a veterinary surgeon and practitioner, and such other persons as may be necessary from time to time in performing their duties under this article, and to prescribe regulations for the destruction of such animals so affected, and for the disposition of their hides and carcasses, and all objects which might convey infection or contagion, at the owner's expense. But no animal shall be destroyed by said board unless first examined by a veterinary practitioner acting in the employ or under the direction of said board, or unless the owner thereof knows that such cattle are so affected. Said board shall also have power to prescribe regulations for the disinfection of all premises, buildings, and railway cars, and all objects by or from which infection may take place or be conveyed; to alter, modify, cancel, or withdraw any of said proclamations, orders, or regulations whenever they may deem it proper so to do.

SEC. 50. Any person knowingly transgressing or failing to comply with the terms of any proclamation, order, or regulation issued or prescribed by the board shall be guilty of a misdemeanor and on indictment be fined in a sum not less than \$200 nor more than \$1,000; and the owner of any cattle affected with the contagious disease known as pleuropneumonia, and knowing the same to be so affected, who fails to kill and bury or burn them, or fails to report the same at once to the State Board of Health, shall be fined for each offense in a sum not less than \$200 nor more than \$1,000; and the said board, upon the failure of any such person to immediately kill said diseased cattle when ordered by the board so to do, shall have the right to kill the same at the owner's expense.

SEC. 51. [Refers to pleuropneumonia.]

SEC. 52. [Refers to pleuropneumonia.]

SEC. 53. The State Board of Health shall have the power to employ a veterinarian, who shall be a regular practitioner and graduate of some college of veterinary surgery and practice, and who shall be known as the State veterinarian,

whose duty it shall be to render such service under this law as the board may direct. Said veterinarian shall be entitled for the services rendered to a sum not exceeding \$5 per day and traveling expenses for the time he is actually engaged at work for said board, to be paid by the county court of the county in which the disease is prevailing. The veterinarian shall receive nothing from any other person for examinations and work done at the instance of said board, and in the event he does he shall, upon indictment and conviction, be fined in a sum not less than \$200 nor more than \$1,000.

SEC. 54. In order to effectually carry out the provisions and intentions of this law, the board may engage and obtain the services of any veterinarian in the employ of the United States, and otherwise cooperate with the proper department of the Federal Government in the suppression of said disease in this Commonwealth.

SEC. 55. The Governor shall, in addition to the number of persons now on said State Board of Health, appoint three discreet and intelligent housekeepers engaged in the cattle business, whose duty it shall be to serve on said board without any charge for services, but said three persons shall only have the right and power to act thereon with reference to matters embraced in this article.

SEC. 56. If any person shall be convicted of a violation of 50th, 51st, or 52d sections of this article, the jury shall have the power to determine by their verdict whether or not such person is at the time of his trial and conviction the owner of any cattle which have been exposed to said disease by having been within the same inclosure with a diseased animal within four months next before trial, and if they find he has such cattle they will find the number, sex, and distinguishing marks, and it shall be the duty of the court to order the destruction of said cattle by the sheriff at the owner's expense, and the expense thereof shall be taxed as costs in the case.

#### LOUISIANA.

Louisiana has no law relative to bovine tuberculosis.

#### MAINE.

The administration of the laws relative to tuberculosis in Maine is by a commission of three persons appointed by the Governor.

One of the duties of the State of Maine Cattle Commission is to cause investigation to be made of tuberculosis, and for this purpose the commission or its agent may enter any premises, cars, or vessels where there is reason to believe that the disease exists. If the disease is discovered, the fact shall be published in the newspapers and the officials of transportation companies notified.

Quarantine is required, as is the appraisal of the diseased animals, in accordance with the rules and regulations made by the commission. The commission must destroy such diseased animals and pay the owner one-half of their value, as determined upon the basis of health before infection: *Provided, however,* That the appraised value shall not be more than \$100 for pedigreed animals nor more than \$50 for those not pedigreed. No indemnity is allowed for an animal which may have contracted or been exposed to tuberculosis in a foreign country, or on the high seas, or may have been brought into the State from another State within three years previous; and no indemnity is allowed when the owner or agent knowingly conceals the existence of such disease or the fact of exposure to it.

The commission is empowered to issue rules and regulations for carrying the laws into effect. All such rules and regulations, however, must have the approval of the Governor before they become operative and be published.

A fine of \$100, or imprisonment not exceeding ninety days, or both fine and imprisonment, is the penalty for obstructing in any way the work of the commission.

If the appraised value of an animal is not accepted by the owner, a rigid quarantine is maintained against such animal.

Transportation companies within the State are prohibited from accepting for shipment any cattle known to be affected with tuberculosis, and no owner of cattle so affected shall drive them on foot from one part of the State to another. The penalty for violation of this provision is a fine not exceeding \$200, or by imprisonment not exceeding six months, or by both fine and imprisonment.

#### LAW.

AN ACT to extirpate contagious diseases among cattle. (Approved February 14, 1899.)

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

SECTION 1. [As amended by act approved March 10, 1893.] Chapter 194. 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, and sheep, and especially tuberculosis, the Governor of the State is hereby authorized and required, immediately after the passage of this act, to appoint a board of cattle commissioners consisting of three persons of known executive ability who shall be charged with the execution of the provisions of this act, and who shall be known and designated as the State of Maine Cattle Commission, and whose powers and duties shall be those provided for in this act, and whose tenure of office shall be at the option of the Governor. The compensation of said commissioners shall be at the rate of \$3 per day during the time they are actually engaged in the discharge of their duties as commissioners. The said commissioners shall respectively take an oath to faithfully perform the duties of their office, and shall immediately organize as such commission by the election of one of their number as president thereof, and proceed forthwith to the discharge of the duties devolved upon them by the provisions of this act.

SEC. 2. [As amended by act approved March 10, 1893.] Chapter 194. That it shall be the duties of said commissioners to cause investigation to be made as to the existence of tuberculosis, pleuropneumonia, foot-and-mouth disease, and in any other infectious or contagious diseases. And such commissioners or their duly constituted agent are 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 they have reason to believe there exists any such diseases, 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 said commissioners are hereby authorized to give notice, by publication, of the existence of such disease, and the locality thereof, in such newspapers as they may select, and to notify in writing the officials or agents of any railroad, steamboat, or other transportation company doing business in or through such infected locality of the existence of such disease; and are hereby authorized and required to establish and maintain such quarantine of animals, places, premises, or localities as they may deem neces-

sary 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 by them as hereinafter authorized and provided, and also to cause the same to be destroyed, and to pay the owner or owners thereof one-half of their value, as determined upon the basis of health before infection, out of any moneys appropriated by the legislature for that purpose: *Provided, however,* That no appraised value shall be more than \$100 for an animal with pedigree recorded or recordable in the recognized herdbooks of the breed in which the animal destroyed may belong, nor more than \$50 for an animal which has no recordable pedigree: *Provided further,* That in no case shall compensation be allowed for an 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 three years previous to such animal's showing evidence of such disease, and the owner or owners 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.

SEC. 3. That the said commissioners are hereby authorized and required to make, record, and publish rules and regulations providing for and regulating the agencies, methods, and manners of conducting, the investigations 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 the said animals so diseased or 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 the judgment of the commissioners, 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 regulations; and after such publication said rules and regulations shall have the force and effect of law, so far as the same are not inconsistent with this act and other laws of the State or United States.

SEC. 4. That any person or persons who shall knowingly and wilfully refuse permission to said commissioners, or either of them, or their duly constituted agent, to make, or who knowingly and wilfully obstructs said commissioners, or either of them, or their duly constituted agent, in making all necessary examinations of and as to animals supposed by said commissioners to be diseased as aforesaid, or in destroying the same, or who knowingly attempts to prevent said commissioners, or either of them, or their duly constituted agent, from entering upon the premises and other places hereinbefore specified where any of said diseases are by said commissioners supposed to exist, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, or of either of the acts in this section prohibited, shall be punished by fine not exceeding \$100 or by imprisonment not exceeding ninety days, or by both fine and imprisonment, at the discretion of the court.

SEC. 5. That any person who is the owner of or who is possessed of any interest in any animals affected with any of the diseases named in Section 2 of this act, or any person who is agent, common carrier, consignee, or otherwise is charged with any duty in regard to any animal so diseased or exposed to the contagion of such disease, or any 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 said contagion, and who shall knowingly and wil-

fully fail within a reasonable time to report to the said commissioners their knowledge or their information in regard to the existence and location of said disease or of such exposure thereto, shall be deemed guilty of a misdemeanor, and shall be punishable as provided in Section 4 of this act.

SEC. 6. That when the owner of animals decided 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 appraisal provided for in this act, it shall be the duty of the commissioners to declare and maintain a rigid quarantine as to the animals decided as aforesaid to be diseased or to have been exposed to any contagious or infectious disease, and of the premises or places where said cattle may be found, according to the rules and regulations to be prescribed by said commissioners, approved by the Governor, and published as provided in the third section of this act.

SEC. 7. That no person or persons owning or operating any railroad, nor the owner or owners or masters of any steam, sailing, or other vessels 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 animals affected with any of the diseases named in Section 2 of this act, or that have been exposed to such diseases, especially the disease known as tuberculosis, knowing such animals to be affected or to have been so exposed, nor shall any person or persons, company or corporation, deliver for such transportation to any railroad company or to the master or owner of any vessel any animals, knowing them to be affected with or to have been exposed to any of said diseases; nor shall any person or persons, company or corporation, 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. Any person or persons violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding the sum of \$200 or by imprisonment not exceeding six months, or by both fine and imprisonment.

SEC. 8. That 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.

SEC. 9. That the said commissioners are hereby authorized to appoint or elect one of their number as secretary of said board, who shall receive a reasonable compensation for his services during the time in which, under the provisions of this act, the services of the said commissioners shall be required. The said commissioners shall make and preserve a full record of all rules and regulations promulgated under the provisions of this act, of all payments and expenses hereunder incurred, and all other transactions performed by said commissioners in the discharge of their duties as herein provided; and the said commissioners shall, on or before the first Wednesday in January of each year, during their continuance in service, and at other times as they may deem conducive to the public interests, or as they may be required so to do by the Governor of State, report to said Governor full and accurate accounts of their expenditures, and other proceedings under the provisions of this act, and of the condition of said diseases if any, in the State, to be communicated by him to the Legislature. Whenever the functions of said commission shall be suspended or terminated, it shall turn over to the Secretary of State all its 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 commission may be restored.

SEC. 10. That the commissioners shall have power, and are hereby authorized, to employ skilled veterinarians 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 their discretion; and they are 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 themselves and their said employees, stationery, expense of disinfecting premises, cars, and other places, destroying diseased and exposed animals, and paying for the same, and such other expenses and expenditures as they may find to be actually necessary to properly carry into effect the provisions of this act.

SEC. 11. That the moneys appropriated by this act shall be paid over to the secretary of said commission from time to time as the same may be found to be needed, upon requisition made by the said commissioners, and shall be disbursed by the said secretary of said commission only upon vouchers approved by said commissioners or a majority of them. The said secretary shall, before entering upon the duties of his office, take an oath to faithfully discharge the duties thereof, and shall enter into a bond to the State of Maine, with sureties to be approved by the Treasurer of State, in such sum as he may designate, for the faithful accounting of all moneys received by the said secretary of the commission under the provisions of this act.

SEC. 12. That for the purpose of carrying into effect the provisions of this act, the sum of \$5,000, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the treasury not otherwise appropriated.

SEC. 13. That all acts and parts of acts inconsistent or in conflict with the provisions of this act be, and the same are hereby, repealed.

#### RULES AND REGULATIONS.

##### NOTICE OF QUARANTINE.

TO WHOM IT MAY CONCERN: Public notice is hereby given, that in consequence of the prevalence of tuberculosis among Massachusetts cattle, as disclosed by the official reports of their authorities, supplemented by postmortems held in Maine of cattle purchased in that State for dairying and breeding purposes, the Cattle Commissioners of the State of Maine believe that the public health of its citizens and the welfare of this commonwealth demand that a rigid quarantine (against all cows whether in milk or dry, and all bulls for breeding purposes) be maintained on and after January 1, 1892, until further notice, and all such cattle entering the State of Maine thereafter will be subject to quarantine at the owner's expense: *Provided, however,* That the above regulations shall not apply to Western cattle coming through Massachusetts into Maine for the purpose of slaughter.

The attention of all persons is directed to Sections 2, 3, 4, 5, and 7, of Chapter 138, of the Public Laws of Maine, 1887, applying to cattle affected with contagious diseases, and which will hereafter be rigidly enforced.

JOHN W. DEERING, *Saco, President.*

F. O. BEAL, *Bangor, Treasurer.*

GEO. H. BAILEY, *Deering, D. V. S.*

A quarantine station will be provided near Morrill's Corner, Deering, where all cattle brought into Maine in violation of the above notice will be kept until discharged, at the expense of the owner or owners; and particular attention is called to the full reprint of the law relating to contagious diseases upon the following pages of this circular letter, which will be rigidly enforced after this date.

PORTLAND, January 1, 1892.



## NOTICE OF QUARANTINE.

The Cattle Commissioners of the State of Maine, having found from recent experience that it has become absolutely necessary to supplement our former notice of quarantine issued January 1, 1892, so that it shall include not only Massachusetts, but all other States, order that no cattle for dairy or breeding purposes shall be brought into this State either by road, water, railroad, or other conveyance until further notice; and all such cattle entering our State without a permit signed by some member of our board will be subject to quarantine at the owner's expense, and the attention of all persons is directed to Chapters 177 and 194 of the Public Laws of Maine, which will hereafter be rigidly enforced.

JOHN W. DEERING, *Saco, President.*

F. O. BEAL, *Bangor, Treasurer.*

GEO. H. BAILEY,

*Deering, State Veterinary Surgeon.*

## MARYLAND.

Maryland has a general law concerning contagious and infectious diseases among domestic animals, but tuberculosis is not specifically mentioned. The enforcement of such laws is by the State Live Stock Sanitary Board, whose duty it is "to protect the health of the domestic animals of the State from all exotic, contagious, or infectious diseases," and is authorized to enforce such quarantine, sanitary, or other regulations as it may deem necessary.

Local boards of health are required to investigate reported cases of contagious or infectious diseases in their respective counties, and, if found to be contagious or infectious, to report the same to the Live Stock Sanitary Board.

The board has power to prohibit the introduction into the State of animals which they have reason to believe are affected with such diseases or which have been exposed thereto.

The Governor is authorized to issue a proclamation declaring a quarantine against States or Territories where such diseases exist, and during the pendency of the quarantine no animals shall be brought into the State from the districts named.

A Chief Veterinary Inspector is appointed by the Governor, who has power, with the consent of the Live Stock Sanitary Board, to isolate and quarantine all infected or exposed animals; to prescribe such regulations as he may deem necessary to prevent infection or contagion being communicated in any way from the premises so quarantined; to prescribe regulations for the destruction of such animals, etc.

Practicing veterinarians within the State are required to report all cases of contagious or infectious disease that may come to their knowledge; a failure to do so renders them liable to a fine not exceeding \$50 for each offense.

All rules and regulations issued by the board have the force and effect of laws.

Whether to quarantine or slaughter diseased animals is in the discretion of the board. Animals may be slaughtered after appraisal, and the amount appraised is authorized as indemnity.

The board is authorized to cooperate with the Bureau of Animal Industry in the work of eradicating any contagious or infectious disease.

LAW.

AN ACT to prevent the spread of contagious or infectious diseases among the live stock of this State. (Approved April 5, 1888.)

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That a commission is hereby established which shall be known under the name and style of the "State Live Stock Sanitary Board," to consist of three commissioners, who are practically engaged in the breeding of live stock, who shall be appointed by the Governor, by and with the advice and consent of the Senate, biennially, at such time as executive appointments are required by law to be made, and who shall hold their offices until their successors are duly appointed and qualified.

SEC. 2. *And be it enacted,* That it shall be the duty of said board, as far as possible, to protect the health of the domestic animals of the State from all exotic, contagious, or infectious diseases, and glanders in horses, and for this purpose it is authorized and empowered to establish, maintain, and enforce such quarantine, sanitary or other regulations as it may deem necessary, and shall maintain an office in the city of Baltimore; it shall constitute and prosecute diligent inquiries in the several counties and ascertain so far as possible the exact condition of the health of the live stock in said counties, and the local boards of health of the several counties shall investigate all reported cases of contagious or infectious diseases of live stock in their respective counties, and if found to be contagious or infectious shall report the same at once to the said Live Stock Sanitary Board; and such board shall have the power to prevent the introduction into this State of animals from other States which they may have reason to believe are affected with a contagious or infectious disease, or have been exposed thereto, and to detain the same at any place for inspection or quarantine, in its discretion.

SEC. 3. *And be it enacted,* That on presentation to the Governor by the said Live Stock Sanitary Board of the facts, showing the existence of any contagious or infectious disease among the domestic animals of any other State, Territory, or district, the Governor may, by proclamation, declare such State, Territory, or district, or any part thereof, in quarantine, and during the pendency of such quarantine it shall not be lawful for any person or persons, company or corporation, to bring into the State of Maryland any animals or animal of the kind so infected from the district so quarantined. Any person or persons, company or corporation, whether owner, agent, or carrier, convicted of a violation of the provisions of this section, shall be subject to a fine not less than \$100 nor more than \$500 for each offense.

SEC. 4. *And be it enacted,* That each member of said board shall be paid the sum of \$5 per day and the necessary expenses for time actually spent in the discharge of his duties. And the sum of \$3,000 per year be, and the same is hereby, appropriated, or so much thereof as may be necessary to meet the expenses of said board, including rent, printing, counsel fees, etc.

SEC. 5. *And be it enacted,* That the Governor shall also appoint a Chief Veterinary Inspector, who shall be a graduate in good standing of some recognized school of veterinary medicine, who shall hold his office and be paid a salary not exceeding \$1,000 and traveling expenses, in the discretion of the Governor, whose duty it shall be to visit the stables of the city and counties wherever and when-

ever he has reason to believe contagious or infectious disease may exist, and he may visit any such stable at any hour of the day, between sunrise and sunset, and shall have power, with the consent of the said Live Stock Sanitary Board, to order all animals which have been exposed to such contagion or infection to be isolated in such manner as the nature thereof may, in his judgment, render necessary to prevent the spreading of such disease; to order that any premises, farm or farms, stables, or railway cars where such disease exists, or has existed, be put in quarantine, so that no domestic animals of the same species shall be removed from or brought to the premises or place so quarantined until the same shall have been properly disinfected; to prescribe such regulations as he may judge necessary or expedient to prevent infection or contagion being communicated in any way from the places so quarantined; to call upon all sheriffs and deputy sheriffs, constables, policemen, or other officers of the State, the city of Baltimore, or of any county, for information and assistance to carry out and enforce the provisions of such orders and regulations; to prescribe regulations for the destruction of animals affected with or exposed to an infectious or contagious disease, and for the proper destruction of their hides and carcasses, and all objects which might carry infection or contagion; to prescribe regulations for the disinfection of all buildings, premises, and railway cars, and of all objects from which or by which infection or contagion might take place or be conveyed; to alter and modify from time to time, as he may deem expedient, the terms of all such orders and regulations, and to cancel or withdraw the same at any time; and it shall be the duty of all sheriffs and deputy sheriffs, constables, policemen, or other officers of the State, city of Baltimore, or counties, to obey and observe all orders and instructions which they may receive from said veterinary inspector in the enforcement of the provisions of this act within their respective jurisdiction.

SEC. 6. *And be it enacted*, That any person who shall violate or transgress the terms or requirements of any order or regulation issued and prescribed by the said Veterinary Inspector, with the consent of the Live Stock Sanitary Board, under the authority of this act, or shall refuse to said Veterinary Inspector or his assistants, access to his, her, or their premises, farms, stables, cars, sheds, or pens, or shall resist said inspector or his assistants in applying any of the quarantine orders or regulations, or shall conceal the fact that the contagious or infectious disease exists on his premises, shall be subject to a fine of not more than \$100 nor less than \$50, which fine may be imposed by any justice of the peace of the city of Baltimore or any county where such offense may be committed.

SEC. 7. *And be it enacted*, That it shall be the duty of all persons practicing veterinary medicine in this State to report immediately to said board all cases of contagious or infectious disease among the live stock which may come to their knowledge, and a failure to report for forty-eight hours after he or they shall come into such knowledge shall be deemed a misdemeanor, and on conviction thereof he or they shall be fined not exceeding \$50 for each offense.

SEC. 8. *And be it enacted*, That it shall be unlawful for any person to inoculate any animal in this State with the virus of any infectious or contagious disease incident to animals, without the consent of the said Live Stock Sanitary Board, and that any person convicted of this offense shall be fined a sum not less than \$1 [100?] nor more than \$500, in the discretion of the court.

SEC. 9. *And be it enacted*, That for the performance of the duties imposed on them by this act all constables, sheriffs, or deputy sheriffs, or other State officers, shall be paid as for the performance of similar duties under existing laws.

SEC. 10. *And be it enacted*, That it shall be the duty of all State's Attorneys to prosecute all persons accused of violating the provisions of this act, and to defend in all cases of appeals from appraisements.

SEC. 11. *And be it enacted*, That all rules and regulations formulated and issued by said board in pursuance of the powers hereby conferred on it shall have the force

and effect of laws, and all violations of such rules and regulations shall be punished as misdemeanors are punished at common law, and all appraisements of animals to be slaughtered or of buildings to be destroyed shall be approved by said board before such animals are slaughtered or such buildings destroyed; and said board shall have the discretion to have such animals slaughtered or quarantined.

SEC. 12. *And be it enacted*, That any person who shall sell or otherwise dispose of an animal which he knows or has good reason to believe is affected with any contagious or infectious disease, or has been exposed thereto within ninety days, or shall permit the same to pass over or upon any public highway, street, lane, or alley, or to graze any unfenced lot or piece of ground without the consent of the said board, shall, on conviction thereof, be fined not less than \$50 nor more than \$100 for each animal so driven or exposed; such fine may be imposed by any justice of the peace of the city of Baltimore or county where the offense was committed.

SEC. 13. *And be it enacted*, That it shall be unlawful for any person or persons to wilfully expose any animal to others affected with a contagious or infectious disease, or to put or suffer to be put any healthy or unexposed animals of the same species into any stable or on any premises which have been declared to be infected until the same shall have been declared to be free from such infection by the said veterinary inspector with the consent of said board; any person or persons convicted of violating any of the provisions of this section shall be subject to a fine of not less than \$1 [\$100?] nor more than \$500 for each offense; and the animal or animals so introduced into such infected stables or premises shall be slaughtered by said veterinary inspector without appraisalment or compensation from the State.

SEC. 14. *And be it enacted*, That in the event of any building or buildings, sheds, stables, stable furniture, hay, straw, or fodder being reported to the said board by said inspector as being incapable of proper disinfection, the said board may, in its discretion, have such buildings and articles so infected appraised, as hereinafter provided for the appraisalment of animals, and destroyed.

SEC. 15. *And be it enacted*, That in the event of its being deemed necessary for the said Veterinary Inspector and said board, to prevent the spread of contagious or infectious disease, to cause any animal or animals so diseased or exposed to such disease to be slaughtered, the value of such animal or animals shall be appraised in their then condition by two sworn appraisers, to be sworn before any officer authorized to administer oaths and affirmations, one of which appraisers to be appointed by the owner or custodian of such animals, the other by the said Veterinary Inspector, or in case the said owner or custodian of such animals shall neglect or refuse to name such appraiser, then by two appraisers, to be appointed by said inspector, who, in case of disagreement, shall call in a third, which appraisalment, when approved by said board, shall be filed with the Comptroller; and the Comptroller shall forthwith issue his warrant to the Treasurer for the amount of said appraisalment, in favor of said owner or owners, and if the owner or owners of such animals or buildings or other property shall not be satisfied with the amount of said appraisalment, he or they may, within sixty days, appeal to the circuit court of the county, or to the Baltimore City court, if such animals or buildings are within the city of Baltimore, by filing in said court a copy of the appraisalment with a petition for a writ of subpoena against the said Veterinary Inspector, which appeals shall be acted on by said court in the same manner as appeals from justices of the peace.

SEC. 16. *And be it enacted*, That said board is hereby authorized and empowered to agree with the Bureau of Animal Industry of the Department of Agriculture of the United States, or other properly constituted authority of the United States, for cooperation in the work of eradicating any contagious or infectious disease among live stock in the State of Maryland, but such agreement shall provide that such work shall be under the control of the State authorities.

SEC. 17. *And be it enacted*, That in the event of an epidemic of contagious or infectious disease among the live stock of this State, it shall be the duty of the said board to appoint such assistants to said inspector as may be necessary to promptly suppress the same and to fix their pay.

SEC. 18. *And be it enacted*, That all diseased animals that, under the provisions of this act, shall be slaughtered at any slaughterhouse where meat is prepared for market shall be slaughtered under the supervision of the Chief Veterinary Inspector or his assistant, and it shall be the duty of said inspector to see that the carcasses and offal of such diseased animals, whether such disease is contagious or otherwise, are destroyed and not sold for food. Any inspector who shall corruptly pass as healthy a diseased animal shall, on conviction thereof, be fined not exceeding \$500 and forfeit his commission.

SEC. 19. *And be it enacted*, That all acts or parts of acts inconsistent with this act be, and they are hereby, repealed, provided nothing herein shall affect the commissions or terms of office of the Chief Veterinary Inspector and members of said Sanitary Board appointed and confirmed at this session of the General Assembly, nor shall any prosecution now pending for violation of the acts of 1884, Chapter 157, and 1886, Chapter 80, abate, but the same shall be prosecuted to final judgment under the provisions of said acts as if this act had not been passed.

SEC. 20. *And be it enacted*, That this act shall take effect from the date of its passage.

#### MASSACHUSETTS.

The Board of Cattle Commissioners, in their report for 1899, say: "During the past year the Commission has acted under two sets of laws. Until May 25 it carried out the provisions of Chapter 491, Acts of 1894, as amended by Chapters 476 and 496, Acts of 1896; since then it has had the enforcement of the new law to deal with."

The new law referred to provides for the appointment by the Governor of a Board of Cattle Commissioners, who shall have the power to make from time to time orders and regulations concerning the extirpation, prevention, and suppression of contagious diseases among domestic animals; and it is their duty to make orders and regulations concerning the inspection and examination of animals. The board may establish quarantine stations wherein animals may be treated for the purpose of determining the characteristics of a specific contagion and the methods by which it may be disseminated or destroyed. Animals which are found to be affected with a contagious disease may be securely isolated or killed without appraisal or payment. If an animal so killed shall appear upon postmortem examination to be free from the disease for which it was condemned, "a reasonable sum therefor shall be paid to the owner by the Commonwealth." If such an animal is found to be affected with tuberculosis the full value at the time of condemnation is paid; but no sum exceeding \$40 shall be paid. Indemnity does not extend to animals which have been brought into the State within six months or to cases where the owner has in any way contributed to the spread of the disease. Provision is made for arbitration in the matter of indemnity.

Animals imported into the State from infected places outside the State may be seized by the Board of Cattle Commissioners and held

in quarantine so long as public safety may require; and the Board may kill such animals without appraisalment or payment for the same.

Any board of health, or agent thereof, or any person who has reason to suspect the existence of any contagious disease in the State must, under penalty, give written notice to the board, who shall cause an inspection to be made. If such animals are found to be free from disease, a certificate of the fact is issued to the owner; if found diseased, or suspected as being diseased, quarantine measures are put in force.

Inspectors are appointed by the Board of Cattle Commissioners, who operate under the rules and regulations of the Board.

Owners using tuberculin are not entitled to indemnity for animals which react, unless the testing is done by the Board of Cattle Commissioners or by its direction.

#### LAW.

AN ACT relative to infectious diseases among domestic animals and to establish a new Board of Cattle Commissioners. (Approved May 25, 1899.)

*Be it enacted, etc., as follows:*

SECTION 1. The Governor, with the advice and consent of the council, shall appoint a Board of Cattle Commissioners of not more than three members whose terms of office shall begin on the first day of June in the year 1899, and who shall hold office as follows: One of said members for the term of three years, one for the term of two years, and one for the term of one year, and thereafter one of said members shall be appointed annually for the term of three years. The compensation of said commissioners shall not exceed \$5 a day for each day of actual service, in addition to their traveling expenses necessarily incurred. Any member of the board may be removed by the Governor and council, who may revoke the commissions of the entire board when in their judgment the public safety may permit. Vacancies in the board by expiration of terms of service or otherwise shall from time to time be filled by appointment by the Governor with the consent of the council. The Board of Cattle Commissioners as now constituted shall cease to exist on the thirty-first day of May in the year 1899, and the duties now devolving by law upon said board shall thereafter be performed by the board created by this act.

SEC. 2. The Board of Cattle Commissioners may appoint a clerk to keep the record of its doings, who shall receive such compensation, not exceeding the sum of \$500 a year, as it shall determine.

SEC. 3. The Board of Cattle Commissioners shall keep a full record of its doings and report the same to the Legislature on or before the tenth day of January in each year, unless an earlier report is required by the Governor. An abstract of its report shall be printed in the annual report of the State Board of Agriculture.

SEC. 4. The Board of Cattle Commissioners shall have power to make from time to time orders and regulations concerning the extirpation, prevention, and suppression of contagious diseases among domestic animals, or concerning the care and treatment or destruction of animals affected with or which have been exposed to any contagious disease.

SEC. 5. The Board of Cattle Commissioners shall from time to time make orders and regulations concerning the inspection and examination of animals, the quarantine and killing of animals affected with or which have been exposed to contagious disease, the burial or other disposal of their carcasses, and the cleansing

and disinfecting of districts, buildings, or places where such contagion exists or has existed. Said board shall from time to time make and prescribe forms for records of inspectors, certificates of examinations, notices, and orders of quarantine, orders for killing and burial, and all returns to be made by inspectors which are provided for under the provisions of this act.

SEC. 6. The Board of Cattle Commissioners may establish hospitals or quarantine stations, with proper accommodations, wherein, under prescribed regulations, animals selected by such commissioners may be confined and treated for the purpose of determining the characteristics of a specific contagion and the methods by which it may be disseminated or destroyed, and it may direct inspectors to enforce and carry into effect all regulations made from time to time for that purpose.

SEC. 7. The Board of Cattle Commissioners may appoint from time to time officers, agents, and assistants whose appointment is necessary or expedient to carry out the purposes of this act, and may remove any and all of the persons so appointed. All such officers, agents, and assistants shall have the power and authority conferred upon inspectors under the provisions of Section 28 of this act, and shall receive such compensation as the board shall determine.

SEC. 8. When the Board of Cattle Commissioners or any of its members or agents, by examination of a case of contagious disease among domestic animals, is convinced that the public good requires it, the board, commissioner, or agent shall cause such animal or animals to be securely isolated, or shall cause it or them to be killed without appraisal or payment. Such order for killing shall be issued in writing by the board or any of its members, and may be directed to an inspector or other person, and shall contain such direction as to the examination and disposal of the carcass and the cleansing and disinfecting of the premises where such animal was condemned as the board or commissioner shall deem expedient. A reasonable sum may be paid out of the Treasury of the Commonwealth for the expense of such killing and burial. If it shall subsequently appear, upon postmortem examination or otherwise, that such animal was free from the disease for which it was condemned, a reasonable sum therefor shall be paid the owner by the Commonwealth. Whenever any cattle condemned as afflicted with the disease of tuberculosis are killed under the provisions of this section, the full value thereof at the time of condemnation, not exceeding the sum of \$40 for any one animal, shall be paid to the owner out of the Treasury of the Commonwealth, if such animal has been owned within the State six months continuously prior to its being killed: *Provided, however,* That such person shall not have, prior thereto, in the judgment of the board, by wilful act or neglect contributed to the spread of tuberculosis; but such decision on the part of the commissioner shall not deprive the owner of the right of arbitration as hereinafter provided.

SEC. 9. Said board may make and issue rules and regulations for the guidance of inspectors of animals and provisions in the inspection of meat which shall conform with the rules and regulations of the United States Bureau of Animal Industry for the inspection of meat for export and for interstate commerce.

SEC. 10. Said board may examine under oath all persons believed to possess knowledge of material facts concerning the existence or dissemination, or danger of dissemination, of contagious diseases among domestic animals, or concerning any other matter within the provisions of this act, and each member of said board shall have, for any purpose of this act, all the powers vested in justices of the peace by Chapters 155 and 169 of the Public Statutes and acts in amendment thereof, to take depositions, to compel witnesses to attend and testify before said board, and to administer oaths. The fees for such witnesses for attendance and travel shall be the same as for witnesses before the superior court. All costs and expenses incurred in procuring the attendance of such witnesses shall be allowed

and paid by the Commonwealth. Copies of the records of said board, or of any regulation or order issued by it or by any of its members under the provisions of this act, when duly certified by the secretary of said board, and any certificate by said secretary of the issuing, recording, delivering, or publishing of any such orders or regulations under the provisions of Section 13 of this act shall be competent evidence of such fact in any tribunal.

SEC. 11. Every cattle commissioner and inspector shall have power to call on sheriffs, constables, and police officers to assist him or them in the discharge of the duty provided for in this act, and it is hereby made the duty of sheriffs, constables, and police officers to assist such commissioner or inspector when requested to do so, and he or they shall have the same powers and protection while engaged in the discharge of his or their duties which peace officers have.

SEC. 12. When animals are transported within this State from places beyond its boundary lines, which places the Board of Cattle Commissioners deems to be infected, such animals may be seized and quarantined by the commissioners at the expense of the owners or consignees thereof so long as the public safety requires; and if, in their judgment, it is necessary to secure that safety they may cause such animals to be killed without appraisal of or payment for the same.

SEC. 13. All orders and regulations made by said board under the provisions of this act shall be spread upon the records of the board, and a copy thereof shall be sent to each inspector in the city or town to which the regulations or orders apply, and shall be published by such inspector in such manner as the orders and regulations shall prescribe.

SEC. 14. Whenever in any city or town the board of health or any member or agent thereof or any other person, except the members of the Board of Cattle Commissioners, who has knowledge of or has good reason to suspect the existence of any contagious disease among any species of domestic animals within the limits of this Commonwealth, or that any domestic animal is affected with any such contagious disease, whether such knowledge is obtained by personal examination or otherwise, shall immediately give written notice thereof to the Board of Cattle Commissioners or any of its members, agents, or inspectors, and for failure so to do shall be punished by a fine not exceeding \$100: *Provided, however,* That no such notice shall be given in the city of Boston relating to the diseases known as glanders, farcy, and rabies, which diseases shall be cared for by the board of health of the city of Boston.

SEC. 15. Upon the receipt of such notice from any person the Board of Cattle Commissioners shall inspect or cause to be inspected by its authorized agents any such animal or animals; and if upon such inspection such board or such inspector suspects or has reason to believe that contagion exists the board or inspector shall proceed according to the provisions of Sections 23, 24, 25, and 26 of this act.

SEC. 16. When complaint is made on oath to any police, district, or municipal court, or to any magistrate authorized to issue warrants in criminal cases, that the complainant believes that any diseased animal or animals are kept or concealed in any particular building, place, or inclosure, the court or magistrate, if convinced that there is reasonable cause for such belief, shall issue a warrant to search for such animal or animals, and all such warrants shall be directed and executed as provided in Section 3 of Chapter 212 of the Public Statutes. If upon a hearing said court or magistrate determines that any such diseased animal or animals were so kept or concealed, the same shall be destroyed or disposed of by the Board of Cattle Commissioners or its authorized agent, and no compensation shall be paid to the owner or owners thereof. If the court or magistrate does not so determine, said animal or animals shall be returned to the owner.

SEC. 17. The mayor and aldermen of cities, except as provided in Chapter 250 of the acts of the year 1896, and the selectmen of the towns shall, within thirty



days after the passage of this act, and thereafter annually in the month of March, appoint one or more persons to be the inspectors of animals, subject to the approval of the Board of Cattle Commissioners. Each inspector shall be sworn faithfully to discharge the duties of his office, and shall receive a reasonable compensation, to be paid by the city or town for which he is appointed. Such city and town officers shall have the power to remove any inspector appointed by them, and in such case shall immediately appoint another in his place. Every city and town shall, within thirty days after the passage of this act, and thereafter before the first day of April in each year, send to the Board of Cattle Commissioners a list of the qualified inspectors of animals appointed under this section for such city or town, which notice shall give the name and address of each such inspector and his occupation.

SEC. 18. Whenever the officers of a city or town neglect or refuse to carry into effect the provisions of Section 17 of this act, such city or town shall be liable to forfeit a sum not exceeding \$500 for each such refusal or neglect, and the Board of Cattle Commissioners shall have the power to appoint one or more persons to be such inspector or inspectors for such city or town. Said board shall also have the power to remove any inspector of animals appointed under the provisions of this act whenever such inspector neglects or refuses to be sworn or, in the opinion of the board, does not properly perform the duties of his office, and in such case the board shall appoint another inspector to serve for the remainder of his term. Every inspector appointed by said board shall be sworn faithfully to discharge the duties of his office and shall receive such compensation, not exceeding the sum of \$500 a year each, as said board shall determine. Such compensation shall be paid by the city or town for which he is appointed.

SEC. 19. Every inspector shall keep a record of all inspections made by him and his doings thereon, and shall make regular returns of all such inspections to the Board of Cattle Commissioners. Such records and returns shall be made in such form and at such times as the Board of Cattle Commissioners shall direct, and said board shall have at all times the right to inspect said records and make copies thereof.

SEC. 20. The duties of inspectors appointed under the provisions of Chapter 491 of the acts of the year 1894 and of acts in amendment thereof, except so far as they relate to the duties, rules, and regulations of the Board of Cattle Commissioners as defined in this act, shall hereafter be performed by the various cities and towns; and said boards of health shall have full power in all matters included under the provisions of said Chapter 491 and of acts in amendment thereof, except that the Board of Cattle Commissioners, in accordance with the provisions of this act, so far as not otherwise provided in Section 14 relating to glanders, farcy, and rabies in the city of Boston, shall have full control and authority in all matters relating to contagious diseases among domestic animals.

SEC. 21. Every inspector appointed under the provisions of this act shall carry out and enforce all regulations and orders directed to him, under the provisions of this act, by the Board of Cattle Commissioners or by any of its members.

SEC. 22. Said inspectors shall make regular and thorough inspections of all neat cattle, sheep, and swine found within the limits of their several cities and towns, except as provided in Section 14 of this act. Such inspection shall be made at such times and in such manner as the Board of Cattle Commissioners shall from time to time direct. They shall also make, from time to time, inspections of all other domestic animals within the limits of their several cities and towns whenever they have knowledge or reason to suspect that such animals are affected with or have been exposed to any contagious disease, and they shall immediately inspect any and all domestic animals, and any barn, stable, or other premises where any such animals are kept, whenever directed to do so by the Board of Cattle Com-

missioners or any of its members: *Provided, however,* That nothing in this act shall apply to the inspection of sheep or swine slaughtered in wholesale slaughtering establishments or to the obtaining of a license for the slaughtering of such sheep or swine.

SEC. 23. Whenever an inspector is convinced by examination of any neat cattle, sheep, or swine that such animals are free from contagious disease, he shall deliver to the owner or to the person in charge thereof a written certificate of their condition, signed by him, which certificate shall be in such form as the Board of Cattle Commissioners shall prescribe, and shall cause a copy of said certificate to be entered upon his records.

SEC. 24. Whenever any inspector, upon an examination of any domestic animal, suspects or has reason to believe that such animal is affected with a contagious disease, he shall immediately cause said animal to be quarantined or isolated upon the premises of the owner or of the person in whose charge it is found, or in such other place or inclosure as he may designate, and shall take such other sanitary measures to prevent the spread of such disease as may be necessary or as shall be prescribed by any order or regulation issued by the Board of Cattle Commissioners. Such inspector shall also deliver to the owner or person in charge of such animal, or to any person having an interest therein, a written notice or order of quarantine signed by him, which notice or order shall be in such form as the Board of Cattle Commissioners shall prescribe, and he shall cause a copy of said notice to be entered upon his records.

SEC. 25. Such notice or order may be served by an officer authorized to serve civil process, or it may be delivered by the inspector to the owner or person having an interest in the animal concerned, or to the person in charge of such animal, or may be left at the last and usual place of abode of such owner or person, or may be posted upon the premises where said animal is quarantined or isolated, and a copy of said notice or order of quarantine, with the return of said officer or inspector thereon that such service has been made, shall be competent evidence in any court that such quarantine has been imposed. Whenever any animal has been quarantined by an inspector under the provisions of this act, such animal shall remain in quarantine until the further order of the Board of Cattle Commissioners or of any of its members.

SEC. 26. When any animals are quarantined, collected, or isolated under the provisions of this act upon the premises of the owner or of the person in possession thereof at the time such quarantine is imposed, the expense thereof shall be paid by such owner or person in possession; but whenever specific animals are quarantined or isolated, under the provisions of Section 6 or Section 24 of this act, more than ten days upon such premises, as suspected of being affected with a contagious disease, and the owner is forbidden to sell any of the product thereof for food, or whenever any animals are quarantined, collected, or isolated on any premises other than those of such owner or person in possession thereof, the expense of such quarantine shall be paid by the Commonwealth.

SEC. 27. Whenever any inspector has caused any domestic animal to be quarantined, as provided in Section 24 of this act, he shall immediately give a written notice thereof, together with a copy of the order of quarantine, to the Board of Cattle Commissioners, and shall give such information to no other person.

SEC. 28. For the purpose of inspecting or examining any animal under the provisions of this act any inspector, duly qualified, may enter any building or buildings or any part thereof, inclosure or inclosures, or other place where any such animal is kept, and may examine or inspect the same. Any person who prevents, obstructs, or interferes with any such inspector, or other person having the power and authority conferred upon inspectors under this act, in the performance of any of his duties as provided herein, or who shall hinder, obstruct, or interfere with his making any such inspection or examination, or who shall secrete or remove

any animal for the purpose of preventing the same from being inspected or examined under the provisions of this act, shall be punished by fine not exceeding \$100, or by imprisonment in jail not exceeding sixty days, or by both such fine and imprisonment.

SEC. 29. It shall be the duty of inspectors, in addition to their inspections of animals for contagious diseases, to examine the barns, stables, or other inclosures in which neat cattle are kept, with reference to their situation, cleanliness, light, ventilation, and water supply, and the general condition and cleanliness of the said neat cattle, and to make a detailed report, with names and residences of owners, to the Board of Cattle Commissioners, who shall embody the same in its annual report to the Legislature.

SEC. 30. One-half of the compensation of inspectors of animals appointed under the provisions of Sections 17 and 18 of this act, in cities and towns of less than \$2,500,000 valuation, shall hereafter be paid from the Treasury of the Commonwealth: *Provided, however,* That no inspector shall receive from the Commonwealth more than \$350 as compensation in any one year.

SEC. 31. Every inspector of animals appointed under the provisions of this act shall carry out and enforce all lawful regulations, orders, and directions of the Board of Cattle Commissioners or of any of its members, and any such inspector who neglects or refuses to carry out the same shall be punished by a fine not exceeding \$500 for every such offense.

SEC. 32. Every animal quarantined or isolated by order of the Board of Cattle Commissioners or any of its members or agents, or of any inspector, in accordance with the provisions of this act, shall, during the continuance of such quarantine or isolation, be deemed to be affected with a contagious disease. Any person who shall knowingly break or authorize or cause to be broken any quarantine imposed under the provisions of this act, or who, contrary to such order of quarantine or isolation, shall knowingly remove, authorize, or cause to be removed from any building, place, or inclosure where the same is quarantined or isolated any animal, or who, contrary to any order or notice of quarantine, shall knowingly place or cause or authorize to be placed any other animal or animals within a building, place, or inclosure where any animal or animals are quarantined, or in contact therewith, or who shall knowingly conceal, sell, remove, or transport, or knowingly cause or authorize to be concealed, sold, removed, or transported any animal, knowing or having reasonable cause to believe that such animal is affected with a contagious disease, or who shall knowingly authorize or permit any such animal to go at large upon any way, street, or highway within the limits of this Commonwealth, or who shall knowingly bring or authorize or permit to be brought from any other country, State, district, or Territory into this Commonwealth any animal which is affected with or has been exposed to any contagious disease, or who shall disobey any lawful order or regulation of the Board of Cattle Commissioners or any of its agents, or of any inspectors in the discharge of his or their duty under the provisions of this act, shall be punished by fine not exceeding \$500, or by imprisonment not exceeding one year, or by both such fine and imprisonment.

SEC. 33. If the owner who is entitled to compensation under Section 8 of this act for an animal destroyed as being affected with tuberculosis and the commissioner condemning the same, can not agree as to the value of the animal so condemned the value shall be determined by arbitrators, one to be selected by the commissioner and one to be selected by the owner; or if the owner neglects or refuses for twenty-four hours to select an arbitrator the one already selected shall select a second, and if these two can not agree a third shall be selected by the two arbitrators first selected. Such arbitrators shall be sworn faithfully to discharge the duties of their office, and shall determine the value of such animal according to the provisions of Section 8; and the full value so determined shall be paid to

the owner as provided in said section. Either party aggrieved by the doings of the Cattle Commissioners or any of its members under the provisions of said Section 8, or by the award of such arbitrators, may petition the superior court for the county where such animal was killed, or for the county of Suffolk, to have the damages assessed. Such petition shall be by or against the Board of Cattle Commissioners, and a copy thereof shall be served upon the defendant, or, if the petition is against said Board of Cattle Commissioners, upon one of the commissioners, in the same manner as is provided for the service of other civil process. The petition shall be filed in the clerk's office of the superior court for said county within thirty days after the killing of such animal or animals. The petition shall be subject to the provisions of Section 69 of Chapter 167 of the Public Statutes, and a trial may be had thereon at the bar of the court, in the same manner as other civil cases are tried. If upon such trial it shall be determined that such animal was not affected with the disease for which it was condemned, reasonable compensation may be recovered therefor, and if the owner recovers damages in excess of the amount previously awarded to him by the arbitrators or allowed him by the commissioners he shall recover his costs; otherwise he shall pay costs. The damages, costs, and expenses incurred by the commissioners in prosecuting or defending any such action shall be paid by the Commonwealth.

SEC. 34. Every person who kills or causes to be killed, with the consent of the owner or person in possession thereof, any animal under suspicion that the same is affected with or has been exposed to a contagious disease, or who upon the inspection of the carcass thereof finds or is of the opinion that the same is affected with a contagious disease, shall notify such owner or person in possession thereof of the existence of such disease, and shall also immediately notify the Board of Cattle Commissioners, its agent or inspector, of the same and of the place where the animal was found, the name of the owner or owners or person or persons in possession thereof, and of the disposal made of such carcass. Any person violating the provisions of this section shall be subject to the same penalties as are provided in Section 28 of this act.

SEC. 35. Contagious diseases under the provisions of this act shall include glanders, farcy, contagious pleuropneumonia, tuberculosis, Texas fever, foot-and-mouth disease, rinderpest, hog cholera, rabies, anthrax or anthracoid diseases, sheep scab, and actinomycosis.

SEC. 36. Any person who fails to comply with a regulation made or an order given by the Board of Cattle Commissioners or by any of its members, in the discharge of its or his duty, shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding one year.

SEC. 37. Prosecutions under this act shall be instituted and maintained in the county where the offense was committed.

SEC. 38. No Texan, Mexican, Cherokee, Indian, or other cattle which the Cattle Commissioners decide may spread contagious disease shall be driven, contrary to any order of the Board of Cattle Commissioners, on the streets of any city, town, or village, or on any road in this Commonwealth, or outside the stock yards connected with any railroad in this Commonwealth.

SEC. 39. In all stock yards within this Commonwealth said Texan, Mexican, Cherokee, Indian, or other cattle which the commissioners decide may spread contagious disease shall be kept in different pens from those in which other cattle are kept.

SEC. 40. Any person or persons violating the provisions of the two preceding sections shall be punished by a fine of not less than \$20 nor more than \$100.

SEC. 41. Courts of equity in term time or vacation may, by injunction or other proper order, upon application of the Board of Cattle Commissioners, enforce or restrain violations of the provisions of this act.

SEC. 42. The use of tuberculin as a diagnostic agent for the detection of the

disease known as tuberculosis in domestic animals shall be restricted to cattle brought into the Commonwealth from any point without its limits and to all cattle at Brighton, Watertown, and Somerville: *Provided, however,* That tuberculin may be used as such diagnostic agent on any animal or animals in any part of the State on the consent in writing of the owner or person in possession thereof, and upon any animals condemned as tuberculous upon physical examination by a competent veterinary surgeon.

SEC. 43. No person having animals tested with tuberculin shall be entitled to compensation from the Treasury of the Commonwealth for any animals which react to the tuberculin test unless such testing be done by the Board of Cattle Commissioners or by its authorized agent acting as such at the time of the tests, and such testing shall be subject to the supervision and control of the Board of Cattle Commissioners.

SEC. 44. No compensation shall be allowed by the Commonwealth to any owner or owners of condemned cattle who have failed to comply with any and all reasonable regulations in regard to cleanliness, ventilation, light, disinfection, and water supply which may have been imposed by the Board of Cattle Commissioners. Any owner or owners of cattle who shall refuse to comply with any of such regulations shall be punished by fine not exceeding \$50 for each offense.

SEC. 45. The existing Board of Cattle Commissioners shall, until the appointment of the new board authorized by this act, exercise the powers and discharge the duties conferred and imposed by this act upon the Board of Cattle Commissioners, and thereafter the new Board of Cattle Commissioners shall exercise said powers and discharge said duties.

SEC. 46. No expense shall be incurred and no money expended under this act in excess of the appropriations made therefor.

SEC. 47. Sections 1 to 9, both inclusive, 27, 29, 30, 34 to 48, both inclusive, and 50 to 58, both inclusive, of Chapter 491 of the year 1894; Sections 1, 2, 9 to 12, both inclusive, and 14 of Chapter 496 of the acts of the year 1895; Chapter 276 of the acts of the year 1896; Chapter 499 of the acts of the year 1897; Chapter 451 of the acts of the year 1898, and all other acts and parts of acts inconsistent herewith are hereby repealed.

#### PROCEEDINGS AND REGULATIONS.

June 12 the board sent the following letter to the mayors of cities and selectmen of towns:

COMMONWEALTH OF MASSACHUSETTS,  
BOARD OF CATTLE COMMISSIONERS,  
*Boston, June 12, 1899.*

DEAR SIR: Herewith find a copy of Chapter 408 of the acts of 1899. This act recodifies the laws relating to the contagious diseases of animals.

You will see by Section 17 that there shall be appointed, within thirty days after the passage of this act and thereafter annually in the month of March, an inspector or inspectors of animals. Will you therefore immediately appoint an inspector of animals, or more than one if you think it necessary?

In most cities and towns, it seems to us, one inspector of animals is sufficient.

You will further note that such appointments are subject to the approval of the Board of Cattle Commissioners.

This board prefers that a competent veterinary surgeon be appointed to this position when one resides in the locality and his services can be procured. Any unfit appointees will be rejected by this board.

You will please notify the Board of Cattle Commissioners at once upon making the appointment.

Section 20 provides that the licensing of slaughterhouses and the inspection of animals killed for food, as provided for in Chapter 491, acts of 1894 and acts in amendment thereto, shall hereafter be attended to by local boards of health.

AUSTIN PETERS, *Chairman*,  
LEANDER F. HERRICK, *Secretary*,  
CHARLES A. DENNEN,  
*Board of Cattle Commissioners.*

The work relative to Tuberculosis is classified by the board under the following heads:

1. The supervision of the traffic in live cattle brought into the State.
2. A general inspection, the examination of cattle quarantined as diseased by the local inspectors in the various cities and towns, and the payment for those found to be infected with tuberculosis.
3. Testing entire herds for the purpose of permanently eradicating tuberculosis from the premises.

Under the first head are the cattle brought into the State through the quarantine yards at Watertown, Brighton, and Somerville and those brought in on permits to other points.

The first step necessary for continuing the control of the cattle business was to readopt the order of the previous board; therefore, at a meeting of the Board of Cattle Commissioners, held June 26, the following order was adopted:

COMMONWEALTH OF MASSACHUSETTS,  
BOARD OF CATTLE COMMISSIONERS,  
*Boston, June 26, 1899.*

*To all persons whom it may concern:*

By virtue of the power and authority in us vested by law, and especially under the provisions of Chapter 408 of the acts of the year 1899, you are hereby notified that tuberculosis, which is a contagious disease, and is so recognized under the laws of this Commonwealth, exists among cattle of the several States and Territories of the United States, the District of Columbia, and Canada, and such localities are, in the opinion of this board, infected districts.

You are hereby further notified that, in order to prevent the importation of diseased animals, and as a means of suppressing such diseases within this Commonwealth, this board has passed the following order:

First. No neat cattle brought from any State or Territory of the United States, the District of Columbia, Canada, or any other country without the limits of this Commonwealth, shall be brought within the limits of this Commonwealth, except for delivery directly to the Union Stock Yards in the town of Watertown, the Boston and Albany Stock Yards in Brighton, within the city of Boston, or the premises of the New England Dressed Beef and Wool Company in the city of Somerville, except upon a permit signed by the Board of Cattle Commissioners or some one of its members; and no neat cattle so brought for delivery at any of said points shall be unloaded, except in case of accident, at any point other than the said Boston and Albany Stock Yards in Brighton, the Union Stock Yards in Watertown, or the New England Dressed Beef and Wool Company in Somerville.

Second. All neat cattle brought within the limits of this Commonwealth from any place designated in paragraph 1 hereof, except for delivery as provided in the preceding paragraph, must be accompanied by a permit issued by this board or some member thereof; and you are hereby forbidden to receive for transportation animals other than those designated in such permit.

Third. If, for any cause, any such neat cattle are received by any of your agents within the limits of this Commonwealth at any other than the Union Stock Yards

in Watertown, the Boston and Albany Stock Yards in Brighton, or the New England Dressed Beef and Wool Company in Somerville, not accompanied by a permit, as provided in paragraph 2 hereof, you will immediately notify this office, giving the place where said animals were received for shipment, the name of the consignee, and destination of said animals.

You will not remove said animals or permit them to be removed from the car or vehicle in which they are contained without a permit from this board or some member thereof; except that if, by reason of the crowded condition of the car or because of the long confinement of said animals within the same, or for accident or otherwise, it is deemed expedient by you or your agent to unload the same, such animal or animals may be removed by you from said car or vehicle without such permit; but in such case you will notify this office, and you will not allow said animal or animals to go out of the possession of your agent or off of your premises where said animals are unloaded except upon obtaining such permit.

Fourth. All neat cattle brought within the limits of the premises to Brighton, Watertown, and Somerville, designated in paragraph 1 hereof, are hereby declared to be quarantined.

Fifth. Any person violating the provisions of this order will be punished as provided in Section 36 of Chapter 408 of the acts of the year 1899.

This order shall take effect upon the 26th day of June, 1899.

AUSTIN PETERS, *Chairman*,  
LEANDER F. HERRICK, *Secretary*,  
CHARLES A. DENNEN,  
*Board of Cattle Commissioners.*

The Board of Cattle Commissioners require all persons bringing cattle into this State, except calves under 6 months old or beef cattle for immediate slaughter, to have them tested with tuberculin prior to shipment or after arrival in this State, unless special permission to the contrary is given by this board.

All persons shipping or driving cattle into Massachusetts must have a permit, unless sent by rail to one of the quarantine stations at Brighton, Watertown, or Somerville.

In regard to the admission of cattle from without the State, it is the opinion of this board that the quarantine stations should be maintained with rules and regulations still more stringent; otherwise this market would be flooded with tuberculous cattle from other States, for which the purchasers would soon after look to the Commonwealth for payment.

While the board does not feel that the work of testing out-of-the-State cattle is by any means perfect, yet it does feel that there has been a great improvement over the old methods of admitting all classes of cattle within the borders of the State.

Many of the buyers affirm that they have had less trouble with their cattle during the last two or three years than ever before; therefore the board believes it to be good judgment not to relax this work in the slightest degree.

The second portion of the work includes that coming under the general inspection made by the local inspectors.

An order for an examination of the neat stock in the State and the premises on which they were kept was sent out in the following letter to inspectors, October 1:

*To the Inspectors of Animals:*

The Board of Cattle Commissioners hereby directs that you shall make a general inspection of the neat stock in your town, and incidentally other farm animals, to commence at once and to be completed on or before the 15th day of November.

The law under which you work is Chapter 408 of the Acts of 1899, a copy of which will be sent you, together with the necessary papers for carrying it out. The portion contained in Sections 19 to 32 relates especially to your duties, and you should make yourself familiar with it. You will also be provided with a book to carry out the provisions of Section 23, with books to carry out the provisions of Section 29, and a quarantine book for cases of tuberculosis or other contagious diseases among animals.

Cattle are not to be quarantined as tuberculous unless they show enough evidence of disease to make it possible to condemn them on a physical examination, except where the udder of a milch cow is tuberculous; on no account are cattle to be quarantined simply for the purpose of testing them with tuberculin, when they show no physical signs of disease. The only exception to this rule is, that it is the duty of inspectors to quarantine all cattle brought into the State without a permit from this board, until the owner furnishes the cattle commission with satisfactory certificates of a tuberculin test. Before quarantining any cattle, you should decide upon what cows you are going to quarantine, then send the papers on a number at once, so our agent can see them all in one visit.

By order:

AUSTIN PETERS, *Chairman*,  
L. F. HERRICK, *Secretary*,  
C. A. DENNEN,  
*Massachusetts Board of Cattle Commissioners.*

The present policy of the Massachusetts Board of Cattle Commissioners follows the plan laid down in the resolutions<sup>1</sup> given above, outside of the matter of slaughterhouse inspection.

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<sup>1</sup>The resolutions referred to, as translated by Dr. V. A. Nørgaard, are as follows:

V.—*The prevention of tuberculosis among domestic animals.*

1. All meat inspectors must report every case of tuberculosis which results in total or partial condemnation of the carcass, and all such which are deemed to have been especially effective in disseminating the infection.
2. Investigation as to the origin of the animal in question.
3. Examination of the herd to which it belonged. All cattle showing clinical symptoms of tuberculosis should be branded or otherwise marked.
4. Separation and slaughter in from one to three months of all animals which must be considered dangerous in spreading the disease, under penalty of losing all right to indemnification, but under promise of indemnity in full in case of mistake in the diagnosis.
5. Thorough disinfection of the stable and premises where the affected animals have been kept.
6. Careful removal and destruction of all affected parts of the carcass.
7. Quarterly inspection of all affected herds.
8. Milk from cows with tuberculosis mammitis must be used for either man or animal in boiled condition only.
9. Skim milk from cooperative dairies must be returned or sold in sterilized condition only.
10. Absolute destruction of all separator residues.
11. Permanent supervision, in regard to tuberculosis, with all dairies which make a speciality of providing milk for children and invalids.

VI.—*The utilization of the flesh and milk of tuberculous animals.*

OF THE FLESH.

When a general compulsory inspection of all food animals, before and after slaughter, has been inaugurated, the following rules are to be enforced in order to



The methods formerly pursued by the State have been found too extravagant and expensive. Similar measures were tried in Belgium, and proved there to be too costly.

During the past year cows that showed marked physical evidence of tuberculosis were condemned and killed; a few have been passed as fit for beef, but most of them were only fit to be rendered. When cows can be condemned on a physical examination the work can be done at a less cost than under the former system, when the agent tested cows with tuberculin and then reported the results to the office and received instructions which to kill and which to release.

Under the present system the agent examines, appraises, and kills a diseased cow all at one visit. This system seems to work satisfactorily, and very few complaints have arisen under it.

Cows with nodulated udders have been tested with tuberculin, as have also some doubtful cases; if they reacted they were destroyed.

Reducing the limit of value from \$60 to \$40 has resulted in a saving to the State. The appraisals have been very evenly made, and the average value, \$22.50 per head, is much lower than it formerly was. The work of the local inspectors seems to be sufficient to protect the people from the milk of cows owned in Massachusetts which are sufficiently diseased to be a danger to the public health, besides which, the badly diseased cows are the greater sources of danger to others.

eliminate the dangers which under certain circumstances might result from the consumption of flesh from tuberculous animals:

(1) In examining the carcasses of slaughtered animals it is necessary that all the professional inspectors follow certain rules which will insure that every case of tuberculosis is discovered and that the extent of the tuberculous lesions are ascertained.

(2) Of greatest importance is the unflinching discovery and the careful removal of the affected organs, together with their appendages.

(3) When tubercular centers are located in the flesh, the infected regions, as bounded by the surrounding lymph glands, are to be treated in the same way as the infected organs—that is, when it can be ascertained beyond a doubt that infection is limited to a certain region.

When the tuberculous alterations in the meat are confined to the lymph glands located therein, the muscle parts may be dissected away from the bones, joints, blood vessels, and lymphatics, and when cut in small pieces and thoroughly sterilized be offered for sale as food.

In the case of fat animals the melting out of the fatty tissue is allowed when care is taken to remove the tuberculous centers.

(4) In all cases of local tuberculosis, or in such where the generalization is limited in extent and confined to the internal organs, the meat may be offered for sale in raw condition. When, however, the tuberculous processes are of considerable extent, the meat should be sold under declaration.

(5) In all cases where there is pronounced emaciation or symptoms of recent generalization (swelling of the spleen and lymphatic glands or miliary tuberculosis of the spleen, liver, lungs, and kidneys), the whole of the meat, with exception of the melted fat, must be condemned as unfit for human food.

(6) In cases where the local character of tuberculosis and the harmlessness of the meat are doubtful (especially when there are tuberculous caverns and incipient derangement of nutrition), the whole of the meat is to be sterilized before being handed over as fit for food.

(7) The sterilized meat and the melted fat are to be sold under declaration.

#### OF THE MILK.

(1) Cows, goats, and other animals kept for dairy purposes must be subjected to regular veterinary control.

(2) The milk of tuberculous animals is not to be used for human food if the animals are emaciated or affected with tuberculosis of the udder.

(3) All emaciated animals and those suffering from tuberculosis of the udder should be destroyed without delay, as it is now done in Denmark and Sweden, and the owners indemnified by the State.

COMMONWEALTH OF MASSACHUSETTS,  
BOARD OF CATTLE COMMISSIONERS.

PERMIT TO BRING NEAT CATTLE INTO MASSACHUSETTS, TO ALL POINTS EXCEPT  
THE QUARANTINE STATIONS AT BRIGHTON, WATERTOWN, AND SOMERVILLE.

BOSTON, MASS., \_\_\_\_\_, 1900.

Permission is hereby granted to \_\_\_\_\_, of \_\_\_\_\_, to bring from \_\_\_\_\_, to \_\_\_\_\_,  
Mass., \_\_\_\_\_ on or before \_\_\_\_\_, 1900.

- \_\_\_\_\_ to be tested before shipment.
- \_\_\_\_\_ to be tested after arrival at destination.
- \_\_\_\_\_ for immediate slaughter.
- \_\_\_\_\_ returning from out of State pastures.

\_\_\_\_\_,  
*Commissioner.*

THE PERMIT SHOULD ACCOMPANY WAYBILL.

All persons bringing cattle into this State, except calves under 6 months old or beef cattle for immediate slaughter, must have them tested with tuberculin prior to shipment or after arrival in this State, unless special permission to the contrary is given by this board.

Certificates of tuberculin test must be mailed at once directly to the Massachusetts Cattle Commissioners. Cattle brought into Massachusetts on permit are to remain in quarantine on owner's or consignee's premises until released by the inspector of animals of the town to which they are sent, or by order of the Board of Cattle Commissioners or one of its members or agents.

All persons shipping or driving cattle into Massachusetts must have a permit unless sent by rail to one of the quarantine stations named above.

The following is a notice to inspectors of the permit, as shown above, being issued to importers:

No. \_\_\_\_\_.

COMMONWEALTH OF MASSACHUSETTS,  
BOARD OF CATTLE COMMISSIONERS,  
Boston, \_\_\_\_\_, 1900.

\_\_\_\_\_, Inspector of Animals,

\_\_\_\_\_, Mass.

DEAR SIR: We have this day issued a permit to \_\_\_\_\_ to bring \_\_\_\_\_  
cattle to your town. Upon arrival of same you will please notify this board on  
blank provided below, and if they have not been tested with tuberculin we will  
order them quarantined until the owner has them so tested, at his expense and  
risk, by some one satisfactory to us.

Yours, truly,

\_\_\_\_\_,  
*Chairman.*

\_\_\_\_\_, MASS., \_\_\_\_\_, 1900.

TO MASSACHUSETTS CATTLE COMMISSIONERS:

I hereby notify you of the arrival of \_\_\_\_\_ cattle brought into the State by Mr.  
\_\_\_\_\_, on permit issued by you as above stated.

Remarks: \_\_\_\_\_.

Yours, truly,

\_\_\_\_\_,  
*Inspector of Animals for said town.*

MICHIGAN.

Michigan has a general law concerning contagious or infectious diseases of a malignant character, but no special law relative to bovine tuberculosis. The State Veterinarian is doing something against tuberculosis under this law, as will be seen by a reference to the regulations.

The work against contagious diseases of animals is done by a State Live Stock Sanitary Commission, consisting of three persons appointed by the Governor. The Governor also appoints a State Veterinary Surgeon.

The commission is "authorized and empowered to establish, maintain, and enforce such quarantine, sanitary, and other regulations as it may deem necessary."

It is made the duty of any person who has knowledge of the existence or the suspicion of existence of any contagious or infectious disease to report it to the commission. Upon the receipt of such information the commission or any member of it shall, if satisfied that such disease does exist, establish temporary quarantine and prescribe such regulations as will prevent the spread of the contagion or infection, and shall notify the State Veterinarian, who shall make an examination and report the result to the commission. The commission shall then prescribe rules and regulations for controlling the diseases and prescribe the lines of a quarantine district. The Governor establishes the quarantine by proclamation.

The commission is empowered to destroy affected or exposed animals after appraisement. A certificate of such appraisement is issued to the owner and the full amount is paid upon approval by the Governor. The right to indemnity does not extend to animals which may have been brought into the State in a diseased condition or which may come from a State or Territory where the disease with which the animals are affected exists, nor to animals brought into the State in violation of law or rules and regulations, or that were diseased or suspected of being diseased when they come into possession of the claimant.

It is made a misdemeanor to keep, sell, ship, drive, trade, or give away any animal having a contagious or infectious disease. It is also a misdemeanor to bring such animals into the State.

The Governor, when he has reason to believe that contagious or infectious diseases exist in other States or Territories, may issue a proclamation of quarantine in regard to such districts prohibiting the importation into Michigan of animals therefrom unless accompanied by a certificate of health.

The commission is empowered to cooperate with the Bureau of Animal Industry in the work of suppression and prevention of contagious diseases.

#### LAW.

AN ACT to provide for the appointment of a Live Stock Sanitary Commission and a State Veterinarian, and to prescribe their powers and duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State. (Approved June 10, 1885. Section 23 added by act approved May 13, 1887.)

SECTION 1. *The people of the State of Michigan enact, That a commission is hereby established which shall be known under the name and style of "The State Live Stock Sanitary Commission."* The commission shall consist of three commissioners who are practical agriculturists and engaged in the live-stock indus-

tries of the State, who shall be appointed by the Governor, with the advice and consent of the Senate. One shall be appointed for the term of six years, one for the term of four years, and one for the term of two years, whose term of office shall commence on the second Tuesday of July of the year in which they are appointed and shall continue until their successors are appointed and qualified. And at each succeeding biennial session of the Legislature there shall be appointed in like manner one commissioner who shall hold his office six years, or until his successor is appointed and qualified. The Governor shall also appoint, with the advice and consent of the Senate, a competent and skilled veterinary surgeon for the State, who, at the time of such appointment, shall be a graduate in good standing of a recognized college of veterinary surgery, and who shall hold his office two years from the second Tuesday of July of the year he is appointed and until his successor is appointed and qualified. The Governor shall also appoint every two years thereafter a competent and skilled veterinarian having the qualifications above mentioned, whose term of office shall be for two years, or until his successor is appointed and qualified.

SEC. 2. Said commissioners and veterinary surgeon before they enter upon the duties of their office shall each take and subscribe the constitutional oath of office and file the same with the Secretary of State.

SEC. 3. Each commissioner shall receive the sum of \$3 per day and necessary expenses for the time actually spent in the discharge of his duties; and the veterinary surgeon shall receive the sum of \$5 per day and necessary expenses for time when employed.

SEC. 4. It shall be the duty of the commission to protect the health of the domestic animals of the State from all contagious or infectious diseases of a malignant character, and for this purpose it is hereby authorized and empowered to establish, maintain, and enforce such quarantine, sanitary, and other regulations as it may deem necessary.

SEC. 5. [As amended by Act No. 105, Public Acts, 1887.] It shall be the duty of any person who discovers, suspects, or has reason to believe that any domestic animal belonging to him or in his charge, or that may come under his observation belonging to other parties, is affected with any disease, whether it be a contagious or infectious disease, to immediately report such fact, belief, or suspicion to the Live Stock Sanitary Commission, or a member thereof.

SEC. 6. [Section 6 was repealed by Act No. 105, Public Acts, 1887.]

SEC. 7. The commission or any member thereof to whom the existence of any infectious or contagious disease of domestic animals is reported shall forthwith proceed to the place where such domestic animal or animals are and examine the same, and if in his or their opinion any infectious or contagious disease does exist he or they shall prescribe such temporary quarantine and regulations as will prevent the spread of the contagion or infection, and notify the State Veterinarian, who shall forthwith proceed to the place where said contagious or infectious disease is said to exist and examine said animal or animals and report his or their finding to the said commission, who then shall prescribe such rules and regulations as in their judgment the exigencies of the case may require for the effectual suppression and eradication of the disease, and for that purpose the said commission may list and describe the domestic animals affected with such disease and those which have been exposed thereto and included within the infected district or premises so defined and quarantined with such reasonable certainty as would lead to their identification, and no domestic animal liable to become infected with the disease or capable of communicating the same shall be permitted to enter or leave the district, premises, or grounds so quarantined, except by the authority of the commission. The said commission shall also, from time to time, give and enforce such directions, and prescribe such rules and regulations as to separating, mode of handling, treating, feeding, and caring for such diseased and exposed animals

as it shall deem necessary to prevent the two classes of animals from coming in contact with each other, and perfectly isolate them from all other domestic animals which have not been exposed thereto and which are susceptible of becoming infected with the disease, and the said commission and veterinarian are hereby authorized and empowered to enter upon any grounds or premises to carry out the provisions of this act. When in the opinion of the commission it shall be necessary, to prevent the further spread of any contagious or infectious disease among the live stock of the State, to destroy animals affected with or which have been exposed to any such disease, it shall determine what animals shall be killed, and appraise the same, as hereinafter provided, and cause the same to be killed and the carcasses disposed of as in their judgment will best protect the health of domestic animals of the locality.

SEC. 8. When the commission shall have determined the quarantine and other regulations necessary to prevent the spread among domestic animals of any malignant, contagious, or infectious disease found to exist among the live stock of the State, and given their order as hereinbefore provided, prescribing quarantine and other regulations, it shall notify the Governor thereof, who shall issue his proclamation proclaiming the boundary of such quarantine and the orders, rules, and regulations prescribed by the commission, which proclamation may be published by written or printed handbills posted within the boundaries or on the lines of the district, premises, places, or grounds quarantined: *Provided*, That if the commission decide that it is not necessary, by reason of the limited extent of the district in which such disease exists, that a proclamation should be issued, then none shall be issued; but such commission shall give such notice as may to it seem best to make the quarantine established by it effective.

SEC. 9. Whenever the commission shall direct the killing of any domestic animal or animals, it shall be the duty of the commissioners to appraise the animal or animals condemned, and in fixing the value thereof the commissioners shall be governed by the value of said animal or animals at the date of appraisement.

SEC. 10. Whenever any live stock shall be appraised and killed by order of the commission, it shall issue to the owner of the stock so killed a certificate showing the number and kind of animals killed and the amount, in their judgment, to which the owner is entitled, and report the same to the Governor of the State, which certificate, if approved by the Governor, shall be presented to the Auditor-General, who shall draw his warrant on the State Treasurer for the amount therein stated, payable out of any money in the Treasury not otherwise appropriated.

SEC. 11. When any animal or animals are killed under the provisions of this act by order of the commission, the owner thereof shall be paid therefor the appraised value, as fixed by the appraisement hereinbefore provided for: *Provided*, The right of indemnity on account of animals killed by order of the commission under the provisions of this act shall not extend to the owners of animals which have been brought into the State in a diseased condition, or from a State, country, Territory, or district in which the disease with which the animal is affected, or to which it has been exposed, exists. Nor shall any animal be paid for by the State which may be brought into the State in violation of any law or quarantine regulation thereof, or the owner of which shall have violated any of the provisions of this act, or disregarded any rule, regulation, or order of the Live Stock Sanitary Commission or any member thereof. Nor shall any animal be paid for by the State which came into the possession of the claimant with the claimant's knowledge that such animal was diseased, or was suspected of being diseased, or of having been exposed to any contagious or infectious disease.

SEC. 12. Any person who shall have in his possession any domestic animal affected with any contagious and infectious disease, knowing such animal to be so affected, or after having received notice that such animal is so affected who shall permit such animal to run at large, or who shall keep such animal where

other domestic animals not affected by or previously exposed to such disease may be exposed to its contagion or infection, or who shall sell, ship, drive, trade, or give away such diseased 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, or regulation, or order establishing and regulating quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$10 nor more than \$500 for each of such diseased or exposed animals which he shall permit to run at large, or keep, sell, ship, drive, trade, or give away in violation of the provisions of this act: *Provided*, That any owner of any domestic animal which has been affected with or exposed to any contagious disease may dispose of the same after having obtained of the State Veterinarian a certificate of health for such animal.

SEC. 13. Any person who shall knowingly bring into this State any domestic animal which is affected with any contagious or infectious disease, or any animal which has been exposed to any contagious or infectious disease, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$100 nor more than \$5,000.

SEC. 14. Any person who owns or is in possession of live stock which is affected, or which is suspected or reported to be affected, with any infectious or contagious disease, who shall wilfully prevent or refuse to allow the State Veterinarian or commissioner or other authorized officer or officers to examine such stock, or shall hinder or obstruct the State Veterinarian or other authorized officer or officers in any examination of or in an 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 \$10 nor more than \$500.

SEC. 15. Any person who shall wilfully violate, disregard, or evade, or attempt to violate, disregard, or evade any of the provisions of this act, or who shall wilfully violate, disregard, or evade any of the rules, regulations, orders, or directions of the Live Stock Sanitary Commission establishing and governing quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$10 nor more than \$500.

SEC. 16. The commission provided for in this act shall have power to employ at the expense of the State such persons and purchase such supplies and material as may be necessary to carry into full effect all orders by it given.

SEC. 17. The commissioners shall have power to call upon any sheriff, under-sheriff, deputy sheriff, or constable to execute their orders, and such officers shall obey the orders of said commissioners; and the officers performing such duties shall receive compensation therefor as is prescribed by law for like services, and shall be paid therefor in like manner. And any officer may arrest and take before any justice of the peace of the county any person found violating any of the provisions of this act, and such officer shall immediately notify the prosecuting attorney of such arrest, and he shall prosecute the person so offending according to law.

SEC. 18. Whenever the Governor of the State shall have good reason to believe that any dangerous, contagious, or infectious disease has become epizootic in certain localities in other States, Territories, or countries, or that there are conditions which render such domestic animals from such infected districts liable to convey such disease, he shall by proclamation prohibit the importation of any live stock of the kind diseased into the State, unless accompanied by a certificate of health given by a duly authorized veterinary surgeon; and all such animals arriving in this State shall be examined immediately by the commission or some member thereof, and if he or they deem necessary he or they shall have said animals inspected by the State Veterinary Surgeon, and if, in his opinion, there is any danger from contagion or infection they shall be placed in close quarantine until such danger of infection or contagion is passed, when they shall be released by order of said commission, or some member thereof.

SEC. 19. For the purposes of this act each member of the Live Stock Sanitary Commission is hereby authorized and empowered to administer oaths and affirmations.

SEC. 20. This commission is hereby authorized and required to cooperate with any board or commission acting under any present or future act of Congress for the suppression and prevention of contagious or infectious diseases among domestic animals, and the same right of entry, inspection, and condemnation of diseased animals upon private premises is granted to the United States board or commission as is granted to the commission granted under this act.

SEC. 21. The commission shall make biennially a detailed report of its doings to the Governor, which report shall be transmitted to the Legislature at its regular biennial session.

SEC. 22 [as amended by Act No. 47, Public Acts of 1887]. This act shall be construed so as to include sheep and horses.

Ordered to take immediate effect.

SEC. 23. [Section 23 was added by act approved May 13, 1887.] Any railroad company, navigation company, or other corporation, or common carrier, who shall knowingly or wilfully violate, disregard, or evade any of the provisions of this act, or who shall wilfully violate, disregard, or evade any of the rules, regulations, orders, or directions of the Live Stock Sanitary Commission establishing or governing quarantine, or who shall evade or attempt to evade any quarantine proclamation of the Governor of this State declaring quarantine limits, shall forfeit and pay to the people of the State of Michigan not less than \$500 nor more than \$5,000 for each and every offense, and shall be liable for all damages caused to any neat cattle by its or his failure to comply with the requirements of this act.

This act is ordered to take immediate effect.

#### REGULATIONS.

The work of the Live Stock Sanitary Commission under the law is given in the following words from Dr. George W. Dunphy, State Veterinarian: "We have no special law in regard to tuberculosis, but the live stock sanitary laws of the State give the commission power to make their own regulations in regard to contagious diseases. Their regulations are about as follows: In case of any reports of suspected tuberculosis the State Veterinarian is instructed to apply the tuberculin test, and if any of the animals react to extent of 2 degrees above the highest temperature on the day prior to the injection of tuberculin they are destroyed by order of the commission, and should an animal so destroyed fail to show tubercular lesions the owner shall be paid full value for the animal; but in case the tubercular lesions are present (which is usually the case) the owner receives the nominal sum of \$1, and is paid for killing and burying or burning the carcass. We always make a rigid and complete postmortem, and in at least 90 per cent of the cases where we have reactions the animals are found affected with the disease. We make exceptions to this rule in case of some exceptionally well-bred animals. They are placed in quarantine if the owner requests it, and the produce must be immediately removed from the dam at birth and fed on milk from healthy cows, and at the age of six months we subject them to the tuberculin test, and if they pass the test all right they are allowed to go at large or take their place in the healthy herd."

## MINNESOTA.

The control of contagious diseases of domestic animals in Minnesota is under the State Board of Health and the local boards of health of cities, towns, and villages. Any of these boards, within their respective jurisdictions, may quarantine animals affected with or which have been exposed to contagious or infectious disease. Animals which are found to be affected or which have been exposed to contagion may be killed; such killing, however, to be under certain restrictions and conditions, as mentioned in Section 4 of the act below. Indemnity for any animal so killed, if found to be free of tuberculosis, shall be paid one-fifth by the town, village, or city and four-fifths by the State, at the cash value at the time of killing, as appraised by three disinterested persons.

The expenses of quarantine are divided between the State and the town, village, or city, or assessed against the owner if the quarantine is upon his premises.

The State Board of Health has power to prohibit the arrival or departure from the State and the towns, villages, and cities of any exposed or infected animal; also to adopt rules and regulations to enforce the authority given by the law. The Board is "expressly given authority to regulate or prohibit the shipment into this State of any domestic animal which, in the judgment of said Board, may endanger the public health."

The penalty for violation of the law or any rule or regulation made by the State Board of Health or the local boards of health is a fine of not less than \$25 nor more than \$100, or by imprisonment not less than thirty days nor more than ninety days. Local boards of health shall carry out the rules and regulations of the State Board of Health.

AN ACT to prevent the spread of contagious and infectious diseases among domestic animals in this State. (Approved April 23, 1897.)

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. Authority is hereby given to the State Board of Health and to the several local boards of health of the towns, villages, and cities of this State, to take all steps they may severally deem necessary to control, suppress, and eradicate any and all contagious and infectious diseases among any of the domestic animals in this State, and to that end said boards are hereby severally empowered, within their respective jurisdictions, to quarantine any domestic animal which is infected with any such disease or which has been exposed to infection therefrom; to kill any animal so infected, and, whenever deemed necessary by the State Board of Health, to kill any animal which has been exposed to the infection of any such disease; to regulate or prohibit the arrival in or departure from this State, and the towns, villages, and cities thereof, of any such exposed or infected animal, and at the cost of the owner thereof to detain any domestic animal found in violation of any such regulation or prohibition: to adopt all such rules and regulations as may be by such several boards deemed necessary or expedient to enforce the authority hereby given; and said State Board of Health is hereby expressly given authority to regulate or prohibit the shipment into this State of any domestic animal which, in the judgment of said board, may endanger the public health.



SEC. 2. Any person who knows of, or has reason to suspect, the existence of any contagious or infectious disease in any domestic animal shall forthwith give notice thereof to the local board of health of the town, village, or city where such animal is kept. Within twenty-four hours after any local board of health shall receive notice that any domestic animal is infected with any such disease, or has been exposed thereto, it shall give notice thereof in writing to the State Board of Health.

SEC. 3. All rules and regulations adopted by any board of health under the authority of this act shall be entered upon the minutes of said board and shall be published in the manner therein provided. All regulations now in force adopted by any board of health within this State, under authority of any law existing prior to the passage hereof, relating to the matters covered by this act and not in conflict with this law, are continued in force, and are hereby declared to be the rules and regulations of such several boards under this act until such times as others are adopted.

SEC. 4. No animal shall be killed by any of the boards herein mentioned until it shall first have been adjudged to be infected with a contagious or infectious disease, either by a duly authorized agent of the State Board of Health, or by a physician or veterinary surgeon selected by a local board of health; except that whenever in the judgment of the State Board of Health the control or eradication of a disease renders it advisable to do so, such board may order killed and buried, or otherwise destroyed, any domestic animal which has been exposed to a contagious or infectious disease, although at the time not infected therewith.

*Provided, however.* That cattle in this State shall not be adjudged infected with the disease of tuberculosis or condemned as being so infected except and until such animal has been subjected to at least two separate tuberculin tests to ascertain the presence of such disease, and the time of making such separate tests shall not be nearer together than two months and not farther apart than three months. In all cases to ascertain the presence of such disease the tests aforesaid shall be made by a duly licensed veterinary surgeon under authority of said board of health. And no milk or other products from such animals shall be sold or offered for sale.

SEC. 5. Whenever a domestic animal has been adjusted [adjudged] to be infected with a contagious or infectious disease, and has been ordered killed by the State Board of Health or by a local board of health, the owner or keeper of such animal shall be notified thereof, and within twenty-four hours thereafter he may file a protest with the board of health which has ordered such animal killed against the killing thereof, and shall therein state under oath that to the best of his belief such animal is not infected with any contagious or infectious disease; whereupon, said animal being killed notwithstanding such protest, a postmortem examination thereof shall be made by experts, appointed, one by the board of health, one by the owner, and one by the two already appointed, and if upon such examination said animal shall be found to have been entirely free from contagious or infectious disease, there shall be appointed three competent and disinterested men—one by the board of health, one by the owner of the animal killed, and the third by the two already appointed—to appraise it at its cash value immediately before it was killed, and the amount of such appraisal shall be paid to the owner of such animal, one-fifth part thereof by the town, village, or city where the animal was kept and four-fifths thereof by the State. All appraisements made under this act shall be in writing and signed by the appraisers and certified to by the local board of health and the State Board of Health, respectively, to the Governor of the State and to the treasurer of the several towns, villages, and cities wherein the animals appraised were kept. Whenever any such animal which has not been adjudged to be infected is killed by order of said board, but not by the owner or keeper thereof, a postmortem examination thereof shall be made by experts appointed as

aforesaid, and if found to have been entirely free from any infectious disease the value of such animal shall be determined and paid for as hereinbefore specified, except, as in this section expressly provided, no compensation shall be paid for any animal killed by virtue of any authority given by this act.

SEC. 6. The expense of the killing and burial or destruction of any diseased animal ordered killed by either of the boards aforesaid shall be borne by the town, village, or city where such animal was kept. The expense of the quarantine of any infected animal, or of any animal that has been exposed to infection, shall be paid when taken from the possession of its owner or keeper, shall be borne one-fifth by the town, village, or city where the animal was kept and four-fifths by the State. When any animal is quarantined upon the premises of its owner or keeper, the expense thereof shall be borne by such owner or keeper. Whenever any animal is quarantined when being shipped into the State, the expense thereof shall be borne by its owner or keeper. Whenever the owner or keeper of any domestic animal is liable for any expenses incurred under this act, by any board of health in connection therewith, such board may have a lien on such animal for such expense, and may also maintain an action against such owner or keeper therefor.

SEC. 7. It is hereby made the duty of the several local boards of health in this State to carry out and enforce all orders and directions of the State Board of Health to them directed, and the State Board of Health may require any two or more local boards to act together for the purpose of enforcing any of the provisions of this act.

Whenever the rules and regulations of the State Board of Health made under authority of this act conflict with the rules and regulations made hereunder by any local board of health, those made by the State board shall supersede those made by the local board.

SEC. 8. The State Board of Health or any duly authorized agent thereof may examine or cause to be examined, under oath, all persons believed to possess knowledge of material facts concerning the existence or dissemination or danger of dissemination of disease among domestic animals; and, for this purpose, shall have all the powers vested in justices of the peace to take depositions and to compel witnesses to attend and testify.

SEC. 9. Any person violating any provisions of this act, or any rule or regulation made by the State Board of Health or by any local board of health, or any order made by any such board under the authority hereof, shall be guilty of a misdemeanor and be punished by a fine of not less than \$25 or more than \$100, or by imprisonment for not less than thirty or more than ninety days. Any member of any local board of health who shall neglect or refuse to carry into effect the provisions of this act, or who shall neglect or refuse to carry out any direction of the State Board of Health, or who shall neglect or refuse to enforce any rule or regulation made by the State Board of Health or by any local board of health under the authority hereof, shall be guilty of a misdemeanor and be punished by a fine of not less than \$25 and not more than \$100; and each and every day's neglect or refusal to perform any duty imposed upon him by this act shall constitute a separate and independent misdemeanor. Complaints for violating the provisions of this act, or for violating any rule or regulation made by any board of health under its authority, may be made by any member or authorized agent of any such board or by any citizen of this State.

SEC. 10. Whenever during the prevalence in the State of any contagious or infectious disease among domestic animals the owner shall post on his premises a notice forbidding all persons to enter any building or enclosure on said premises without permission from said owner, it shall be a misdemeanor to enter upon said premises, punishable by a fine of not less than \$25 nor more than \$100, or by imprisonment for not less than thirty nor more than ninety days.

SEC. 11. Whenever during the prevalence in the State of any contagious or infectious diseases among domestic animals the owner shall post on his premises a notice forbidding all persons not authorized by State or local boards of health to enter any building or enclosure on said premises without permission from said owner, it shall be a misdemeanor to enter upon said premises, punishable by a fine of not less than \$25 nor more than \$100, or by imprisonment for not less than thirty nor more than ninety days.

SEC. 12. The sum of \$6,000, or so much thereof as necessary, is hereby annually appropriated for the payment of the expenses that may be incurred by the State in enforcing this act, such expenses to be approved by the State Board of Health and by the Governor.

SEC. 13. Chapter 200 of the General Laws of the State of Minnesota for 1885, as well as all other acts and parts of acts inconsistent with this act, are hereby repealed, except as to any actions now pending growing out of the enforcement of the same.

SEC. 14. This act shall take effect and be in force from and after its passage.

REGULATIONS.

[Please fill out and return at once—Infectious disease of animals. Minnesota State Board of Health—Office record No. —.]

BLANK FOR REPORTING INFECTIOUS DISEASES AMONG ANIMALS.

[This form is to be used by health officers and by chairmen of local boards of health in reporting to the State Board of Health the existence of any infectious disease among animals within their jurisdiction.]

Date \_\_\_\_\_, \_\_\_\_\_.

County of \_\_\_\_\_, township of \_\_\_\_\_.

Name and post-office address of health officer or chairman of the local board of health making this report, \_\_\_\_\_.

Owner's name and address, \_\_\_\_\_.

Number of animals that have been exposed to infection, \_\_\_\_\_.

Number of animals of this kind on the farm, \_\_\_\_\_.

Number and kind of animals sick, \_\_\_\_\_.

Name of the disease from which the animal or animals are suffering, \_\_\_\_\_.

Prominent symptoms present, \_\_\_\_\_.

History of infection, \_\_\_\_\_.

What action has the local board taken, \_\_\_\_\_.

[Minnesota State Board of Health—Infectious diseases of animals.]

ORDER OF QUARANTINE FOR CATTLE SUSPECTED OF BEING TUBERCULOUS.

[Return promptly to the Veterinary Department of the Minnesota State Board of Health.]

City or town of \_\_\_\_\_, \_\_\_\_\_, 190—.

Description of cattle, \_\_\_\_\_.

Date of test, \_\_\_\_\_.

When quarantined, \_\_\_\_\_.

Where quarantined, \_\_\_\_\_.

Order of quarantine delivered to \_\_\_\_\_.

Cattle owned by \_\_\_\_\_.

Cattle in charge of \_\_\_\_\_.

Notice delivered or posted (date and hour), \_\_\_\_\_.

Remarks, \_\_\_\_\_.

## ORDER OF QUARANTINE FOR CATTLE SUSPECTED OF BEING TUBERCULOUS.

[Original--(To be delivered to person or owner in charge).]

City or town of \_\_\_\_\_, \_\_\_\_\_, 190—.

To \_\_\_\_\_ (owner or person in charge):

You are hereby ordered to isolate under quarantine, upon your premises, the following-described cattle, ———.

These cattle are suspected of having tuberculosis, an infectious disease under the law. You are forbidden to violate, in any respect, the conditions of quarantine (see other side of this order).

You are warned of the danger of using any food product from these animals, and are forbidden to sell or otherwise dispose of any such product during quarantine.

[On back of order.]

## MINNESOTA STATE BOARD OF HEALTH.

The following rules were adopted by the Minnesota State Board of Health April 12, 1898, and apply to animals hereby quarantined:

All cattle which show symptoms of tuberculosis must be quarantined at once and the entire herd tested with tuberculin.

The owner shall be given the option of having his cattle which have reacted killed under inspection or continued under quarantine for a period not exceeding three months.

All cattle which give reactions on second test must be killed within one month after date of second test, and the stable must be cleaned and disinfected thoroughly before quarantine may be released.

Cattle that have reacted under tuberculin test may be taken out of quarantine for slaughter or other purposes only after due notice to the local health officer and upon written permission from the State Board of Health, and may be killed only in the presence of an authorized inspector of the local or State Board of Health.

The State Board of Health will furnish the necessary tuberculin for this work, but only to local health officers or upon written request from local health officers.

*Violation of quarantine defined.*

It shall be deemed a violation of quarantine for any person to knowingly remove, authorize, or cause to be removed, without written permission from the State Board of Health, any animal quarantined on account of tuberculosis, from the building, place, or inclosure wherein it was quarantined.

It shall be deemed a violation of quarantine for any person to knowingly place, cause, or authorize to be placed, without written permission from the State Board of Health, any animal or animals subject to tuberculosis, in the building, place, or inclosure where animals are quarantined on account of said disease.

It shall also be deemed a violation of quarantine for any person to knowingly dispose of, authorize, or cause to be disposed of, any butter, meat, milk, or other product, from cattle in quarantine.

AN ACT to prevent the spread of contagious and infectious diseases of domestic animals in this State. (Act of 1897.)

SECTION 9. Any person violating any provision of this act or any rule or regulation made by the State Board of Health, or by any local board of health or any order made by any such board under the authority thereof, shall be guilty of a misdemeanor, and be punished by a fine of not less than twenty-five (25) or more than one hundred (100) dollars, or by imprisonment for not less than thirty (30) or more than ninety (90) days.

[Infectious disease of animals—Minnesota State Board of Health—Office record No. —.]

BLANK FOR RECORDING TEST WITH TUBERCULIN.

[Use one of these blanks for each animal tested. Fill out carefully all details asked for in these blanks. Follow instructions on back for use of tuberculin.]

Township, ———; county, ———.  
 Name and post-office address of chairman of local board of health, ———.  
 Owner's name and address, ———.  
 Name and number of animal tested, ———.  
 Description of animal: Age, ———; sex, ———; color, ———; condition, ———;  
 weight, ———; breed, ———; markings, ———.  
 History of infection, ———.  
 Symptoms, ———.  
 Date of injection, ———, hour 10 p. m.; dose, — c. c.

*Temperatures.*

DAY OF INJECTION.		DAY AFTER INJECTION.	
Date, ———.		Date, ———.	
8 a. m., ———.	2 p. m., ———.	6 a. m., ———.	2 p. m., ———.
10 a. m., ———.	6 p. m., ———.	8 a. m., ———.	4 p. m., ———.
	8 p. m., ———.	10 a. m., ———.	6 p. m., ———.
		12 m., ———.	8 p. m., ———.
			10 p. m., ———.

Watered at ——— each day.  
 Stable temperatures (hot, cool, or pleasant): Day of injection, ———: day after injection, ———.  
 Diagnosis (non-tuberculous, suspicious, or tuberculous), ———.  
 Postmortem record or remarks, ———.  
 Action taken by local board, ———.  
 (Signature of veterinarian who made test) ——— ———,  
 (Address) ———.

**MISSISSIPPI.**

Mississippi has no law relating in any manner to bovine tuberculosis.

**MISSOURI.**

The situation with reference to bovine tuberculosis in Missouri is best stated in the language of Mr. J. R. Rippey, Secretary of the State Board of Agriculture, which is as follows: "We have no statute in this State especially applicable to tuberculosis. Section 10551 of the Revised Statutes of 1899 authorizes the Board of Agriculture to formulate regulations governing the movement into this State of affected animals. Under this provision the Board formulated regulations, which were promulgated by the Governor the 18th day of June last. These regulations, however, were clearly defective, and they were probably illegal from the fact that they discriminated against breeding cattle, while all other kind of cattle were admitted without hindrance; and they were ineffective from the fact that all a shipper

had to do from any locality quarantined against was to claim that his cattle were dairy cattle or stock cattle and not intended for breeding purposes, and no tuberculin test was required. By reason of these defects the proclamation was suspended by a recent action of the board and tuberculosis quarantine awaits future action."

#### MONTANA.

No special law relative to bovine tuberculosis is on the statutes of Montana, but this disease is dealt with under the general law concerning contagious and infectious diseases of domestic animals.

Under this general law the Governor appoints a State Veterinary Surgeon, whose duties are "to investigate all cases of contagious and infectious diseases among cattle, horses, mules, and asses in this State" which may be brought to his knowledge; to inspect animals so diseased which may be brought into the State from other States or Territories against which the Governor has proclaimed a quarantine.

In all cases of contagious or infectious diseases the State Veterinary Surgeon may quarantine the premises. If the disease becomes epidemic, he must notify the Governor, who issues a proclamation forbidding the removal of any animal of the kind diseased from the quarantine district without a certificate from the State Veterinary Surgeon.

The State Veterinary Surgeon may, under certain restrictions, order the slaughter of animals so diseased, or which have been exposed to such diseases. Before animals are slaughtered they are appraised by three stock raisers, and a certificate of the valuation given to the owner, who is entitled to receive the full value of the appraisement. The indemnity is limited to animals destroyed because of the existence of some epizootic disease, and must not be paid in the following cases: Animals belonging to the United States; animals brought into the State contrary to law, or found to be diseased or having been exposed to disease before coming into the State; animals affected with any other incurable disease than the one for which slaughtered; animals which the owner knew to be diseased when he purchased them; or for animals which have come into the State within ninety days before slaughter. The board of county commissioners of each county must provide for a "stock-indemnity fund" by the levying annually a tax not to exceed one-half mill, the same to be paid out by the State Treasurer in accordance with the provisions of the law.

When the Governor has reason to believe that a contagious or infectious disease exists in another State or Territory he must issue a proclamation designating the locality and prohibiting the importation therefrom of animals of the kind diseased, except under such restrictions as may be made by him by the advice of the State Veterinary Surgeon.

## LAW.

SEC. 3000. The Governor is authorized to nominate and, by and with the advice and consent of the Senate, appoint a competent Veterinary Surgeon, who is known as the "State Veterinary Surgeon," who holds his office for two years, and must execute a bond in the sum of \$5,000, and who, before entering on his duties, must take and subscribe the oath of office prescribed by the constitution.

SEC. 3001. The duties of the State Veterinary Surgeon are:

1. To investigate all cases of contagious and infectious diseases among cattle, horses, mules, and asses in this State, of which he may have a knowledge, or which may be brought to his notice by any resident in the locality where such disease exists; and, in the absence of specific information, to make visits of inspection to any locality where he may have reason to suspect that there is any contagious or infectious diseases.

2. To inspect, under the regulations of this article, all such animals, which may be brought into this State, in any manner whatever, from or through such State, Territory, or foreign country, as the Governor may declare by proclamation, upon the recommendation of the board of stock commissioners, or otherwise, must be held in quarantine for the purpose of inspection for contagious or infectious diseases.

SEC. 3002. After the making of such proclamation the owner, or person in charge, of any such animals, arriving in this State, from or through any State, Territory, or foreign country, against which quarantine has been declared, must notify the State Veterinary Surgeon without delay, and must not allow such animals to leave the place of arrival until they have been examined by the Veterinary Surgeon and his certificate obtained that all such animals are free from disease; and no animal pronounced unsound from disease by the Veterinary Surgeon must be turned loose, allowed to run at large or removed or permitted to escape, but must be held subject to the order of the Veterinary Surgeon. Any person failing to comply with the provisions of this section is punishable as provided in Section 1174, of the Penal Code, and is liable for any damage and loss that may be sustained by any person by reason of the failure of such owner to comply with the provisions of this section.

SEC. 3003. The owner of such animals, ridden under the saddle or driven in harness into this State, or under yoke, and any person coming into this State with his own team or teams, is not required to notify the Veterinary Surgeon, or await the inspection of the animals, but he is liable for all loss or damage to any person by reason of any contagious or infectious disease brought into the State by his animals; and no such animals must be held in quarantine for a longer period than ninety days, unless contagious or infectious disease is found to exist among them.

SEC. 3004. In all cases of contagious or infectious disease among domestic animals or Texas cattle in this State, the Veterinary Surgeon has authority to order the quarantine of the infected premises, and in case such a disease becomes epidemic in any locality in this State, the Veterinary Surgeon must immediately notify the Governor, who must thereupon issue his proclamation forbidding any animal of the kind among which such epidemic exists to be transferred from said locality without a certificate from the Veterinary Surgeon showing such animal to be healthy. The expense of holding, feeding, and taking care of all animals quarantined under the provisions of this article must be paid by the owner, agent, or person in charge of such animals.

SEC. 3005. In case of any epidemic disease where premises have been previously quarantined by the Veterinary Surgeon, as before provided, he is further authorized and empowered, when in his judgment necessary, to order the slaughter of any and all such diseased animals upon said premises, and all such animals as have been exposed to contagion or infection, under the following restrictions: The order

must be a written one, and must be made in duplicate, and there must be a separate order and duplicate for each owner of the animals condemned, the original of each order to be filed by the Veterinary Surgeon with the Secretary of State and the duplicate given to the owner. Before slaughtering any animal that has been exposed only, and does not show disease, the Veterinary Surgeon must call in consultation with him two practicing veterinary surgeons or physicians, residents of the State, or, if this is impossible, then two stock owners, residents of the State, and he must have written indorsements upon his order of at least one of the consulting persons, stating that such action is necessary, before the animal is slaughtered.

SEC. 3006. Whenever, as in this article provided, the Veterinary Surgeon orders the slaughter of one or more animals, he must at the time of making such order notify in writing the nearest available justice of the peace, who must thereupon summon three disinterested citizens, who are stock owners in the neighborhood, to act as appraisers of the value of the animal. The appraisers, before entering upon the discharge of their duties, must be sworn to make a true and faithful appraisal without prejudice or favor. They must, after making their appraisal, return certified copies of their valuation, a separate one being made for each owner, together with an accurate description of each animal slaughtered (giving all brands, earmarks, wattles, age, sex, and class, as to whether American, half-breed, or Texas) to the justice of the peace by whom they were summoned, who must, after entering the same upon his record and making an indorsement upon each showing it to have been properly recorded, return it, together with a duplicate order of the Veterinary Surgeon, to the person owning the animal slaughtered; and it is the duty of the Veterinary Surgeon to superintend the slaughter of such animals as may be condemned, and also the destruction of the carcass, which latter must be by burning to ashes or burying in the earth to the depth of not less than 6 feet, and which must include every part of the animal and hide, and also excrement as far as possible. If the owner of any animal found diseased by the Veterinary Surgeon is killed, or consents to its being killed by the Veterinary Surgeon without appraisal, then the Veterinary Surgeon must burn or bury it as herein provided.

SEC. 3007. The Veterinary Surgeon must make an annual report on or before the first day of October to the State Board of Stock Commissioners of all matters connected with his work, and the board must make the same a part of their annual report to the Governor, and they must also transmit to the several boards of county commissioners such parts of the report as they consider necessary and of general interest to the breeders of live stock. The board must also give information in writing, as soon as it is obtained, to the Governor and to the various boards of county commissioners, of each case, or supposed case, of disease in each locality, the cause, if known, and the measures adopted to check it.

SEC. 3008. Whenever the Governor has good reason to believe that any disease mentioned in this article has become epidemic in certain localities in another State or Territory, or that conditions exist that render domestic animals and Texas cattle likely to convey disease, he must, by proclamation, designate such localities, and prohibit the importation therefrom of any live stock of the kind diseased into this State, except under such restrictions as he, after consultation with the Veterinary Surgeon, may deem proper. Any person who, after the publication of such proclamation, knowingly receives in charge any animal from any of the prohibited districts, and transports or conveys the same within the limits of this State, is punishable as provided in Section 1175 of the Penal Code, and is further liable for any and all damages and loss that may be sustained by any person by reason of the importation or transportation of such prohibited animals.

SEC. 3009. It is the duty of any person who has upon his premises, or upon the



public domain, any case of contagious or infectious disease among such animals, to immediately report the same to the Veterinary Surgeon; and a failure to do so, or any attempt to conceal the existence of such disease, or to wilfully or maliciously obstruct or resist the Veterinary Surgeon in the discharge of his duties, is punishable as prescribed in Section 1176, of the Penal Code, and forfeits all claims to indemnity for loss from the State.

SEC. 3010. The following regulations must be observed in all cases of disease mentioned in this article:

1. It is unlawful to sell, give away, or in any manner part with, any animal affected with, or suspected of being affected with, contagious or infectious disease; and in case of any animal that may be known to have been affected with or exposed to any such disease, within one year prior to such disposal, due notice of the fact must be given in writing to the party receiving the animal.

2. It is unlawful to kill for the purpose of selling the meat, any such animal, or to sell, give away, or use any part of it or its milk, or to remove any part of the skin. A failure to observe these provisions is punishable as provided in Section 1176 of the Penal Code. It is the duty of the owner or the person having in charge any such animal affected with, or suspected of being affected, any contagious or infectious disease, to immediately confine the same in a safe place, isolated from other animals, and with all necessary restrictions to prevent dissemination of the disease, until the arrival of the Veterinary Surgeon. These regulations apply as well to animals in transit through the State as to those resident therein; and the Veterinary Surgeon, or his duly authorized agent, has authority to examine, in car, yard, pastures, or stables, or upon the public domain, all such animals, and on detection of disease, to take possession of, and treat and dispose of the animals in the same manner as provided by this article.

SEC. 3011. All claims arising from the slaughter of animals under the provisions of this article, together with the order of the Veterinary Surgeon and the valuation of the appraisers in each case, must be submitted to the State Auditor, and for each claim that he finds to be equitable and entitled to indemnity under this article must issue to the person entitled thereto his warrant on the stock indemnity fund in the State Treasury for the sum named in the appraiser's report. In auditing any claim under this article the auditor must satisfy himself that it does not come under any class for which indemnity is prohibited by this article, and he must require the affidavit of the claimant to this fact, or if the claimant be not cognizant thereof, then of some reputable person who is cognizant thereof; and also the certificate of the Veterinary Surgeon, whose duty it is to inform himself fully of the fact, that in his opinion the claim is legal and just, and the auditor may, in his discretion, require further proof.

SEC. 3012. The indemnity granted is the value of the animal as determined by the appraiser with reference to its diminished value because of being diseased or having been exposed to disease. The indemnity must be paid to the owner upon his application and the presentation of the proofs prescribed therein, and such application must be made within six months after the slaughtering of the animal or the claim is barred. The right to indemnity under this article is limited to animals destroyed by reason of the existence of some epizootic disease generally fatal and incurable, such as rinderpest, hoof-and-mouth disease, pleuropneumonia, anthrax, or Texas fever, among bovines, and glanders among horses, mules, and asses. For the ordinary contagious diseases, not in their nature fatal, such as epizootic and influenza in horses, no indemnity must be paid. The right to indemnity does not exist, and the payment of such must not be made, in the following cases:

1. For animals belonging to the United States.
2. For animals that are brought into the State contrary to the provisions of this article.

3. For animals that are found to be diseased, or that are destroyed because they have been exposed to disease before or at the time of their arrival in the State.

4. When an animal was previously affected by any other disease, which, from its nature and development, was incurable and necessarily fatal.

5. When an owner or person in charge has knowingly or negligently omitted to comply with the provisions of Sections 3009 and 3010 of this article.

6. When an owner or claimant, at the time of coming into possession of the animal knew it to be diseased, or received the notice specified in the first clause of Section 3010 of this article.

7. When the animal has been brought into the State within ninety days immediately preceding the outbreak of disease, on account of which such animal was killed.

SEC. 3013. The Veterinary Surgeon receives for his services an annual salary of \$2,500. No person must receive the appointment of State Veterinary Surgeon who is not a graduate in good standing of a recognized college of veterinary surgeons, either in the United States, Canada, or Europe.

SEC. 3014. The appraisers mentioned in this article receive \$3 for each day or part of a day they are actually employed, which must be paid from the State Treasury out of the stock indemnity fund in this article provided, upon vouchers which bear the certificate of the justice who summoned them. The justice receives his ordinary fee for issuing a summons, to be paid out of the stock indemnity fund. The persons called in consultation by the Veterinary Surgeon each receives \$3 for each day or part of a day they are actually employed, and 10 cents per mile for distances actually traveled, which sums must be paid from the State Treasury out of the stock indemnity fund upon vouchers certified to by the Veterinary Surgeon. The incidental expenses in causing animals to be slaughtered and their carcasses to be burned, and disinfecting infected premises, must be paid from the State Treasury out of the stock indemnity fund, upon vouchers.

SEC. 3015. The liability for indemnity for animals destroyed and for fees, costs, and expenses incurred under the provisions of this article in any year is limited by, and must in no case exceed, the amount especially designated for the purpose and for that period, by the terms of that article; nor must the Veterinary Surgeon or anyone else incur any liability under the provisions of this article in excess of the surplus in the stock indemnity fund hereinafter provided; nor must any act be performed or property taken under the provisions of this article become a charge against the State.

SEC. 3016. The board of county commissioners of each county must, at the time of making the annual assessment, levy a special tax not exceeding one-half of one mill on the dollar upon the assessed value of all cattle, horses, mules, and asses in the county, to be known as the "Stock Indemnity fund;" said tax must be collected and paid to the State Treasurer in the manner provided by law for the levying, collection, and payment of other State taxes, which fund constitutes the indemnity fund specified by this article to be used in paying for animals destroyed and for fees, costs, and expenses provided under the provisions therefor. It must be used exclusively for that purpose, and must be paid out by the State Treasurer as provided in this article.

SEC. 3017. The Veterinary Surgeon must select the place where stock must be quarantined.

SEC. 3018. The Veterinary Surgeon has power to appoint, from time to time, deputies, not exceeding four in number, at any time he can not personally attend to all the duties required by his office, at a salary not to exceed \$5 per day for each day actually employed, to be paid out of the stock-indemnity fund, and must designate the county for which each deputy is to act.

## QUARANTINE PROCLAMATION.

STATE OF MONTANA, EXECUTIVE OFFICE,

*Helena, March 13, 1897.*

Whereas under the provisions of an act of the Legislative Assembly of the State of Montana entitled, "An act to provide for the appointment of State Veterinary Surgeon, and to suppress and prevent infectious diseases among domestic animals," it is made my duty, whenever I shall have good reason to believe that any disease covered by this act has become epizootic in certain localities in any other State or Territory or foreign countries, or that conditions exist that render domestic animals liable to convey disease, that I shall thereupon, by proclamation, schedule such localities and prohibit the importation from them of any bulls, cows, or calves for breeding purposes into this State, except under such restrictions as I, after consultation with the Veterinary Surgeon, may deem proper; and

Whereas I have reason to believe that conditions exist that render cattle in any and all of the other States, Territories, and foreign countries, if brought into this State, liable to bring with them the disease known as tuberculosis, or consumption:

Now, therefore, I, Robert B. Smith, Governor of the State of Montana, in obedience to the duty imposed upon me by said statute and the terms thereof, do hereby schedule the localities hereinbefore named, and I do hereby forbid the importation into the State of Montana of any bulls, cows, or calves whatsoever for breeding purposes which have been brought from any portion of said scheduled localities, except upon the following conditions:

All bulls, cows, or calves intended for breeding purposes shall have a certificate of health, stating that tuberculin has been used in said examination, accompanied by a copy of the record kept during the tuberculin test, and that said examination has been made by an official veterinarian of some State, Territory, or foreign country, and that said bull, cow, or calf is free from tuberculosis, or consumption.

Should such examination be impossible for any reason before such animals come into this State, then shall such animal or animals remain in quarantine until the State Veterinarian or his deputy can make such examination, at the owner's expense, and give such certificate for each animal, using the tuberculin test in each examination and on each bull, cow, or calf so imported for such breeding purposes.

All cattle imported from the aforesaid scheduled localities shall be subject to quarantine for ninety days, or for such shorter time as may be deemed necessary in the opinion of the State Veterinary Surgeon or his duly authorized deputy, to determine whether such cattle have been exposed to the infection of tuberculosis, or consumption, prior to importation.

And I do hereby warn all corporations, persons, or companies to give due and full notice to the State Veterinary Surgeon of Montana, preceding the arrival at the boundary line of the said State of Montana, of all such cattle as come within the provisions of this proclamation.

*Provided, however,* That nothing in this proclamation shall be so construed as to prohibit the transportation of any cattle through or into this State, providing a certificate of health from any State, Territorial, or Government Veterinarian shall accompany them, stating that the State or locality from which such cattle came is free from tuberculosis.

In witness whereof I have hereunto set my hand and caused the great seal of the State of Montana to be affixed at the City of Helena, the capital of said State, this 13th day of March, A. D. 1897.

By the Governor:

ROBERT B. SMITE.

Attest:

T. S. HOGAN, *Secretary of State.*

## NEBRASKA.

There is no special law relative to bovine tuberculosis in Nebraska, but sections given below, from the Compiled Laws (1897), are applicable to that disease.

It is unlawful to drive cattle affected with any contagious or infectious disease through the State or to import into the State animals so affected. Animals so diseased shall not run at large, nor shall anyone sell such animals, knowing them to be diseased, without disclosing their condition to the purchaser.

## LAWS.

453. SEC. 10. That every person shall so restrain his diseased or distempered cattle, or such as are under his care, that they may not go at large; and no person or persons shall drive any diseased or distempered cattle affected with any contagious or infectious disease into or through this State or from one point thereof to another. Any person or persons offending against this section shall, on conviction thereof before any justice of the peace, forfeit not less than \$5 nor more than \$25 for every head of such cattle, and be liable for all costs and damages.

454. SEC. 11. Any justice of the peace, upon proof before him that any cattle are going at large or are driven in or through his county in violation of the preceding section, shall order a constable or sheriff to impound them, and the owner thereof shall be held liable for all costs and damages.

479. SEC. 36. It shall not be lawful for the owner of any domestic animal or animals, or any person having them in charge, knowingly to import or drive into this State any animal or animals having any contagious or infectious disease; and any person so offending shall be deemed guilty of a misdemeanor, and shall be punished by fine in any sum not less than \$1 nor more than \$100, and be imprisoned in the county jail not more than three months, or both, in the discretion of the court.

480. SEC. 37. Any person being the owner of any domestic animal or animals, or having the same in charge, who shall turn out, or suffer any such domestic animal or animals having any contagious or infectious disease, knowing the same to be so diseased, to run at large upon any uninclosed land, common, or highway, or shall let the same approach within twenty rods of any highway, or shall sell or dispose of any domestic animal or animals, knowing the same to be so diseased, without fully disclosing the fact to the purchaser, shall be deemed guilty of a misdemeanor and shall be punished by a fine in any sum not exceeding \$500 and imprisoned in the county jail not less than six months.

481. SEC. 38. Nothing in this act shall be so construed as to prevent the recovery of damages in a civil action against any person or persons who shall sell, trade, or import, or drive into this State such diseased animal or animals, or who shall allow such domestic animal or animals to run at large, or to approach nearer than twenty rods of any highway.

482. SEC. 39. Any person violating any of the provisions of this act, in addition to the penalties herein provided, shall be liable for all damages that may accrue to the party damaged by reason of said diseased animal or animals imparting disease.

AN ACT to amend Section 76 of the Criminal Code of the State of Nebraska, and to repeal said Section 76 as it now exists. (Approved March 30, 1899.)

*Be it enacted by the Legislature of the State of Nebraska:*

SECTION 1. That Section 76 of the Criminal Code of the State of Nebraska be amended so as to read as follows:

“SEC. 76. It shall be unlawful for any person to sell, barter, or dispose of, or permit to run at large any horses, cattle, sheep, or domestic animal, knowing that such

horse, cattle, sheep, or domestic animals are infected with contagious or infectious disease, or have been recently exposed thereto, unless he shall first duly inform the person to whom he may sell, barter, or dispose of such horse, cattle, sheep, or other domestic animal, of the same; and any person so offending shall be fined in any sum not less than \$20 nor more than \$100, or be confined in the jail of the county not exceeding three months."

SEC. 2. That Section 76 of the Criminal Code of the State of Nebraska as heretofore existing, be and the same hereby is repealed.

### NEVADA.

The law concerning tuberculosis in Nevada is included in the general law against contagious diseases; tuberculosis, however, is specifically mentioned.

The law provides for a State Live Stock Inspector to be appointed by the Governor and under the control of the State Board of Health. If upon examination the inspector finds animals infected with a contagious or infectious disease and deems it proper that they should be quarantined, he shall notify the district court of the character of the disease and the number of animals infected. Said court shall appoint five freeholders to make examination and, if a majority of them agree with the inspector, they shall certify the same to the said court, who shall command the sheriff to compel the owner to quarantine such stock and to close all creameries and dairies in the district so affected until the disease abates, and no stock shall be removed from the infected district without the inspector's certificate of health accompanying them.

No stock which have not been inspected and which are not accompanied by a certificate of health from the inspector shall be allowed to enter the State.

The inspector is required to make in detail monthly reports of his work.

An act approved March 10, 1891, provides that no cattle shall be brought into the State which have had any contagious or infectious disease within ninety days immediately prior to their importation.

### LAWS.

AN ACT providing for the appointment of a State Live Stock Inspector, defining his duties, and fixing his compensation. (Became a law March 22, 1899.)

SEC. 5. It shall be the duty of the justice of the peace, district attorney, or board of county commissioners to notify said State Live Stock Inspector at once at his office by letter or telegram. It shall be his duty to go to the locality named and give such aid and instructions as he may think best for the prevention or cure of the diseases with which he shall find such live stock infected with.

SEC. 6. If upon investigation said State Live Stock Inspector shall be satisfied that said live stock is infected with what is known as pleuropneumonia, tuberculosis, anthrax, glanders, or any other contagious and infectious disease against which he may think best to quarantine, he shall immediately notify the district court of the judicial district or one of the judges thereof in vacation in said county in which said diseased stock may be found, setting forth in writing the number of stock infected, the character and type of the disease. Said court or judge

thereof in vacation shall thereupon issue an order in writing commanding the sheriff to immediately summon five freeholders, being stock raisers, who shall proceed at once to the locality where such diseased stock may be and carefully examine the same with the inspector. If a majority of said freeholders shall find such stock infected as aforesaid, they shall certify such finding in writing to the court or judge aforesaid, who shall thereupon issue an order in writing commanding the sheriff to compel the owners or other persons in whose possession such diseased stock shall be found to immediately quarantine such diseased stock and to close all creameries or dairies in the affected district until such time as the disease abates, and that no stock shall be moved from the infected district until they have been examined and the inspector's certificate of health accompanying them, and that all stock dying from contagious or infectious diseases that their carcasses shall be burned immediately and not buried or left to decay.

SEC. 7. No stock from affected districts in other States or Territories will be allowed to cross the lines and enter Nevada until they have first been inspected at the owner's expense. The inspector's fee shall be \$10 per day and necessary traveling expenses. This shall be applied to the general fund of the State of Nevada. The inspector may be notified by letter or telegram; he shall go at once to the place on the border line mentioned and inspect said stock; if found healthy, give a certificate of health to those in charge of said stock on the payment of inspector's fees and necessary traveling expenses.

SEC. 8. Any person or persons, company, or corporation who shall violate any provision of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not to exceed \$500 nor less than \$50, or by imprisonment in the county jail not more than six months nor less than fifty days for each offense.

SEC. 9. The sheriff shall receive for his services under this act such compensation as is now provided by law for similar labor, and the freeholders making such examinations as aforesaid shall receive such compensation as is now provided by law for juror's services, which shall be allowed by the district court of the district and paid out of the county treasury of the county in which such diseased stock shall be found, as other claims are paid.

SEC. 10. Said inspector shall report to the board of health in writing at least once in every month, setting forth the locality or localities visited as provided in the preceding section, the kind of stock inspected, the time taken to inspect them, the number admitted to cross the line into Nevada, the number permitted to leave infected districts, and to whom certificates of health for stock were given and the amount of fee received for inspecting and issuing certificates; also the kind of stock treated, the type and character of the disease, the remedies prescribed, and the results as far as known. He shall also render an account for the number of miles traveled and the actual sum of money paid out by him therefor; and if found correct, shall be audited and allowed by the board as is now provided by law.

SEC. 11. The secretary of the aforesaid board shall from time to time select from said report and publish such information as he may think valuable to the people of Nevada. This information may be published in connection with the report relating to agriculture or in a separate bulletin.

SEC. 12. The State Live Stock Inspector herein provided for shall receive a salary not to exceed \$1,200 per annum and necessary traveling expenses, payable out of the general fund of the State of Nevada as other claims are paid.

SEC. 13. The State Controller is hereby authorized, empowered, and required to draw his warrant in favor of the State Live Stock Inspector created by this act for the salary and traveling expenses provided for in this act when approved by the board of examiners, and the State Treasurer is hereby authorized, empowered, and directed to pay the same.

SEC. 14. It shall be the duty of the secretary of said board of health to collect

the information derived from the report made by said inspector as provided for in this act and make a report to the State Legislature within ten days of the date of the meeting thereof, such data and useful knowledge, together with suggestions, as may be beneficial to the stock interests of the State of Nevada.

### NEW HAMPSHIRE.

The State Board of Cattle Commissioners of New Hampshire deals with tuberculosis under a general law against contagious and infectious diseases of domestic animals.

This law authorizes the Governor to cooperate with the United States Bureau of Animal Industry in measures for the suppression and extirpation of such diseases.

The work against these diseases is in the hands of a State Board of Cattle Commissioners, whose duty it is to make investigations in regard to contagious and infectious diseases among domestic animals and to make such regulations as they may deem necessary to exclude or arrest the same.

Selectmen are required to quarantine animals so diseased so long as it may be necessary in order to prevent the spread of disease, and in so doing are to be governed by the rules and regulations of the State Board of Cattle Commissioners. The selectmen or the board may order the killing of any animal if, in the opinion of a veterinarian selected by them, it is affected with a contagious or infectious disease. Animals so killed shall be appraised, and the owner may receive from the town their full value in their diseased condition, if the animals have been owned within the State for a period of three months before the detection of the disease. If an owner is not satisfied with the appraisal, he may appeal to the Supreme Court within thirty days.

All costs in connection with this work are paid by the towns, but four-fifths of the amount are reimbursed by the State.

An amendment to the law in 1893 makes an exception to the general law as abstracted above. It provides that the owner of cattle killed by order of the State Board of Cattle Commissioners shall recover from the State one-half the value of such animals upon a basis of health.

The work with reference to tuberculosis under these laws is fully set forth in the report of the Board of Cattle Commissioners in the Report of the Board of Agriculture for the biennial period ended October 1, 1898, which is copied herewith:

#### REPORT OF THE STATE BOARD OF CATTLE COMMISSIONERS.

[CHAPTER 113, PUBLIC STATUTES.]

SECTION 1. The Governor is authorized to accept on behalf of the State the rules and regulations prepared by the Commissioner of Agriculture under and in pursuance of Section 3 of an act of Congress approved May 29, 1884, entitled "An act for the establishment of a bureau of animal industry, to prevent the exportation of diseased cattle, and to provide means for the suppression and extirpation of

pleuropneumonia and other contagious diseases among domestic animals," and to cooperate with the authorities of the United States in the enforcement of the provisions of such act.

SEC. 2. The inspectors of the Bureau of Animal Industry of the United States shall have the right of inspection, quarantine, and condemnation of animals affected with any contagious, infectious, or communicable disease, or suspected of being so affected, or that have been exposed to any such disease; and for these purposes are authorized and empowered to enter upon any ground or premises. They shall have power to call on sheriffs, constables, and peace officers to assist them in the discharge of their duties in carrying out the provisions of said act of Congress; and it is made the duty of said officers to assist them when so requested. The inspectors shall have the same powers and protection as peace officers while engaged in the discharge of their duties.

SEC. 3. All damages and expenses incurred under the preceding sections shall be paid by the United States, and in no case shall this State be liable for any part thereof.

SEC. 4. The Secretary of the State Board of Agriculture, the Master of the New Hampshire State Grange of Patrons of Husbandry, and the Secretary of the State Board of Health, for the time being, shall constitute a board to be known as the State Board of Cattle Commissioners. If a vacancy in the board shall occur, the Governor, with the advice of the council, shall fill it by appointment, and the appointee shall hold office until the vacancy in the office occasioning the vacancy in the board is filled.

SEC. 5. The board shall make investigations in regard to the existence of contagious and infectious diseases among domestic animals in the State, and may make regulations prohibiting the introduction into the State of animals so diseased, and controlling or prohibiting their transportation, and such other regulations as the board deems necessary to exclude or arrest any such disease, and may modify or amend its regulations as the circumstances shall require.

SEC. 6. The board may employ skilled veterinarians and agents and servants to aid in the performance of the duties assigned to the board.

SEC. 7. Any person or corporation who shall violate any of the regulations of the board shall be fined not exceeding \$100.

SEC. 8. The compensation and expenses of the board shall be audited and fixed by the Governor and council, and shall be paid from the State Treasury; but all expenses incurred under the provisions of this chapter shall not exceed \$10,000 in any one year.

SEC. 9. Selectmen shall cause all horses infected with glanders or other contagious disease, and all other domestic animals infected with contagious diseases, or which have been exposed to such diseases, to be collected in some suitable place or places and kept isolated from other animals so long as may be necessary to prevent the spread of the diseases.

SEC. 10. In the performance of the duties prescribed by the preceding section, the selectmen shall be governed by the regulations and directions that may be made or given on the subject by the State Board of Cattle Commissioners.

SEC. 11. The State Board of Cattle Commissioners, or, if they have not taken cognizance of the case, the selectmen of the town in which the animal is, may order any domestic animal to be killed and buried which, in the opinion of a veterinary surgeon selected by them, has a contagious or infectious disease.

SEC. 12. The owners of animals so killed shall be entitled to recover of the town the value of such animals in their diseased condition if they had been owned in the State three months at least before the disease was detected. The State Board of Cattle Commissioners, or the selectmen, as the case may be, shall cause the value to be ascertained by the appraisal of three competent and disinterested persons selected by them, who shall be sworn to the faithful discharge of their duties.



SEC. 13. In case the owner is aggrieved by the appraisal, he may appeal by petition to the Supreme Court within thirty days after he is notified of the appraisal. He shall notify the town of his appeal, and enter and prosecute it as he would if it were a civil action at law wherein the same amount of damages was claimed, and judgment shall be rendered therein in like manner.

SEC. 14. If upon such appeal he recovers a larger sum than the appraisers awarded him, he shall recover his taxable costs; otherwise he shall pay costs.

SEC. 15. All damages and expenses incurred under the six preceding sections, except expenses incurred by the State Board of Cattle Commissioners, shall be paid by the town in the first instance; but four-fifths thereof shall be reimbursed to it from the State Treasury. The Governor and council shall audit all claims thus presented, and the Governor shall draw his warrants upon the Treasurer for the amounts allowed in favor of the towns entitled thereto.

SEC. 16. In cases where United States inspectors, State commissioners, and selectmen, or any two of such boards, take action with reference to the same subject-matter under the provisions of this chapter, they shall have precedence in authority in the order above named.

SEC. 17. Any person or corporation who shall bring into the State, between the twentieth day of May and the twentieth day of October, any Texas or Cherokee cattle that have not been kept north of the Ohio or Missouri river during the winter immediately preceding, shall be fined not exceeding \$25 for each animal so brought into the State. The term Texas or Cherokee cattle shall be construed to mean the native cattle of Texas and Louisiana and the classes of cattle known under those names.

SEC. 18. Any person who shall expose, or suffer to be exposed, in any highway, public place, or pasture, any horse affected by the disease known as glanders, shall be fined not exceeding \$50 for each offense, for the benefit of the town or city where the offense is committed.

SEC. 19. Any person exposing any domestic animal as aforesaid affected with any other contagious or troublesome disease shall be fined not exceeding \$25 for each offense, for the benefit of the town.

SEC. 20. It shall be the duty of selectmen and police officers of towns in which any of the offenses mentioned in the three preceding sections shall be committed to cause the offenders to be prosecuted.

At the session of the Legislature of 1893 the following amendment was passed:

SECTION 1. The owners of cattle killed by order of the State Board of Cattle Commissioners shall recover of the State one-half the value of such animals upon a basis of health, said value to be ascertained by a disinterested appraisal, provided they have been owned in the State three months at least before the disease was detected.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

#### QUARANTINE REGULATIONS.

The following order is still in force:

STATE OF NEW HAMPSHIRE,  
BOARD OF CATTLE COMMISSIONERS,  
Concord, July 14, 1896.

#### General Order No. 3.

1. General Order dated January 11, 1892, and General Order dated January 19, 1892, are hereby repealed.

2. All persons and companies are hereby prohibited from bringing or driving neat cattle into the State of New Hampshire without a permit from this board.

3. All neat cattle brought or driven into the State of New Hampshire under a permit from this board are hereby placed in quarantine upon arrival in the State until identified and released.

4. Selectmen of towns and cities of New Hampshire are hereby authorized to seize and hold in quarantine any neat cattle coming into the State without a legal permit, and notify this board at once of such action.

5. Permits to bring or drive neat cattle into New Hampshire will be issued only upon the result of the tuberculin test, to be applied and reported under such regulations and forms as will be furnished upon application to this board.

6. This order is issued under authority of Chapter 113 of the Public Statutes of New Hampshire, and all violations will be vigorously prosecuted.

7. This order shall take effect on the fifteenth day of July, 1896.

IRVING A. WATSON, *President*,  
N. J. BACHELDER, *Secretary*,  
*Board of Cattle Commissioners.*

The following explanatory circular was issued in connection with the above order:

STATE OF NEW HAMPSHIRE,  
BOARD OF CATTLE COMMISSIONERS,  
*Concord, July 14, 1896.*

*To whom it may concern:*

The quarantine regulations issued by the Board of Cattle Commissioners of the State of New Hampshire against all cattle outside of the State are made necessary by the action already taken in the same line by the authorities of other New England States. Evidence has been submitted to this board that animals failing to pass the test, and therefore debarred from those States, are being brought into New Hampshire, and are contributing to our milk supply, to the injury of the healthfulness and reputation of New Hampshire dairy products.

Persons desiring to bring cattle into New Hampshire will be furnished, upon application, with the necessary blanks upon which to forward the result of the test, said test to be made by any person who is satisfactory to the cattle commissioners of the State in which the test is made. Upon arrival in this State the cattle will be identified and released as soon as practicable by this board or its representative.

In making the report of tuberculin test, when applying for a permit, both the original and duplicate reports are to be made out and forwarded to this office without being detached from the blank permit.

BOARD OF CATTLE COMMISSIONERS,  
*Concord, N. H.*

#### MODIFICATION OF QUARANTINE ORDER.

STATE OF NEW HAMPSHIRE,  
BOARD OF CATTLE COMMISSIONERS,  
*Concord, April 1, 1897.*

#### *General Order No. 4.*

General Order No. 3, dated July 14, 1896, is hereby modified as follows:

On and after this date, unless otherwise ordered, neat stock will be admitted to the State of New Hampshire for pasturage or for domestic use under the following conditions:

1. Applications for permit to bring cattle into New Hampshire for pasturage or for domestic use must be made upon blanks furnished by this board.

2. The owner or drover of said cattle must state upon said application that they are brought into the State for pasturage or for domestic use.

3. The owner or drover of said cattle must furnish upon said application the certificate of a veterinarian who is a regular graduate of a veterinary institution or who is recommended by the cattle commissioners of the State from which the cattle are sent, stating that the cattle have been subjected to a physical examination and no symptoms of tuberculosis or other contagious disease are found.

4. Applications from Massachusetts must also state that the cattle have been tagged by the Massachusetts Cattle Commission, which will entitle them to return to that State without reexamination, and must be indorsed in this respect by the Massachusetts Cattle Commission or agent of said commission.

5. This order will take effect April 1, 1897, and remain in force until revoked by this board.

N. J. BACHELDER,

*Secretary New Hampshire Board of Cattle Commissioners.*

The following explanatory circular was issued in connection with the modification order:

STATE OF NEW HAMPSHIRE,  
BOARD OF CATTLE COMMISSIONERS,

*Concord, April 1, 1897.*

*To owners and drovers of stock:*

The inclosed order modifies the previously existing regulation in regard to bringing neat stock into New Hampshire for pasturage, inasmuch as it allows a physical examination instead of requiring the tuberculin test. The application for permit must be made to the board upon the application furnished by this board, and no neat cattle can be legally admitted for pasturage until said application has been properly filled out and filed with this board and the permit issued in due and regular form. In short, this order simply allows the report of the physical examination to be filed with this board instead of the report of the tuberculin test, and a permit to bring cattle into New Hampshire for pasturage or other purposes is just as necessary as before the issuing of this order.

Selectmen and other officials have full authority to proceed against violators of this and the previous order as modified, the same as before, and all parties will govern themselves accordingly.

N. J. BACHELDER,

*Secretary New Hampshire Board of Cattle Commissioners.*

While the law enacted to govern this matter confers upon the executive officer of the State Board of Health, the State Board of Agriculture, and State grange the authority in the suppression of contagious diseases among animals, yet all action taken and money expended have been with the approval of the several organizations named and by the advice of the Governor and council. While every case coming to the attention of the board has been investigated and such action taken as the policy of the board demanded, the keeping of the work within legitimate bounds has been somewhat complicated by the appropriation made by the Legislature in 1895 of \$100,000 for the prosecution of this work, vetoed by the Governor. The present commission has never held that the exigencies of the case required the expenditure of any such amount of money, and subsequent events have proven this position to be sound. The present commission has never sought or desired the management of this matter, and favored the above bill after it was so restricted as to be under the entire control of the Governor and council and provided for the appointment of a commission to control and direct the matter. We make this somewhat extended reference to the action leading up to the period for which this report is made in order that we may more intelligently report the work accomplished and state our conclusions deduced therefrom.

The members of the commission have been allowed by the Governor and council \$500 annually for clerk hire, which, with the exception of printing and postage, has been the entire office expense in the administration of the law. All applications to the board for permits to admit cattle to the State have been complied with if the proper certificate of soundness was furnished, and several thousand animals have been annually admitted under this regulation. All applications to the board for inspection of herds within the State have been given attention by forwarding to the parties making application a blank form of which the following is a copy:

## APPLICATION FOR CATTLE INSPECTION.

\_\_\_\_\_, 1898.

BOARD OF CATTLE COMMISSIONERS OF THE STATE OF NEW HAMPSHIRE,

Concord.

GENTLEMEN: I hereby make application for an official inspection of my herd of cattle, in regard to which I make the following statement:

My entire herd consists of \_\_\_\_\_ cattle.

First noticed symptoms of disease about \_\_\_\_\_.

Symptoms noticed are \_\_\_\_\_.

These cattle are at my stable, located about \_\_\_\_\_ miles from \_\_\_\_\_, the nearest railroad station.

If the board considers an investigation advisable, and upon a physical examination finds sufficient symptoms of tuberculosis in the herd to warrant, in the opinion of the board, the application of the tuberculin test to the herd, I hereby authorize its application by the board. I understand the expense of making an inspection to be entirely borne by the board, and that, according to law, I am to receive one-half the health value of all animals condemned by the test and destroyed in the presence of myself or that of my agent. I also agree to disinfect the stable and take other precautionary measures in accordance with the instructions of the cattle commissioners.

\_\_\_\_\_  
(Address) \_\_\_\_\_.

This plan has been strictly adhered to except in an occasional case where arrangements had been previously made to inspect herds in the immediate vicinity of the person applying and there was not time to have the blank forwarded and returned. The inspection would then be made without the formal application, as it required no extra expense. Other exceptions have been in the case of applications from boards of health or in the suspected existence of glanders in horses, both of which have generally had prompt attention.

All applications for inspection in official form as indicated above have had careful consideration by the board, and if the conditions reported indicated the presence of any contagious disease an inspection was ordered as soon as practicable. It has not been the practice of the board to make a second inspection in a town immediately after a previous visit, but to make the inspection as soon as the circumstances seemed to warrant, using discretion in the matter. In this work the most distant sections of the State have had equal attention with the central, and no inspection has been withheld on account of any extra expense in reaching the herd.

In addition to the action taken by the commissioners in the above-named cases the selectmen have acted in specific cases located in six towns, under the direction of the commissioners. This action by the State, and by the selectmen directed by the State, has resulted in locating and destroying 234 tuberculous cattle and 18 glandered horses. A postmortem examination has been made of every animal destroyed, and in every instance the disease for which the animal was destroyed has been found, and to such extent as to satisfy the owner of its existence without

microscopic examination. In such inspections as seemed to need special attention, or where conditions were likely to exist that would need the personal attention of members of the commission, they have been present, and these cases have been growing less each year. The work of the commission has been systematized so that the greatest result could be obtained with the least possible expense.

The tuberculin test has been applied to some extent during the work of the commission, and, when first announced by supposed authorities as the proper agency for determining what animals should be killed and buried, was used for a short time as the main dependence in our work. During this trial with tuberculin 296 cattle were condemned and buried from the application of the test, and all were given a postmortem examination. A thorough observation of the results in this course, and a careful study of the matter as reported from various authorities, convinced the board that the doubt existing in its mind at the start in regard to the practicability of such a course was well founded, and the practice was abandoned except in special cases where its use seemed justifiable. About this time, when the policy of destroying cattle upon the result of the tuberculin test alone was more in doubt in the minds of the members of the board than later, Mr. F. B. Shedd, of Northfield, offered a fine herd of Holstein cattle for experimental purposes that failed to pass the tuberculin test. The offer was accepted, and under date of June 25, 1898, the following report was made upon the experiment:

CONCORD, June 25, 1898.

The attention of the cattle commissioners was called June 12, 1897, to a herd of thoroughbred Holstein cattle owned by Mr. F. B. Shedd, of Northfield, an extensive landowner, cultivating and improving one of the finest farms in New Hampshire. The tuberculin test had been applied by a veterinarian employed by Mr. Shedd to twenty-one cattle, twelve of which failed to pass, and in which the temperature reaction was very high. Two of the twelve were advanced cases of tuberculosis and had been destroyed before the arrival of the commissioners. The ten animals remaining, to which our attention was called, consisted of nine thoroughbred Holstein cows and a thoroughbred Holstein bull, the latter weighing over 2,000 pounds, all of which were under 4 years old. We found the nine cows isolated from all other cattle, and so much excitement prevailed that the inclosure in which they were kept was a source of serious alarm to many of the neighboring people. The bull had been assigned the entire barn, and the general appearance of all the cattle was vigorous and healthy.

We stated to Mr. Shedd that it was not our practice to destroy animals simply upon the result of the tuberculin test without other evidence of disease. To this position strong exception was taken by the owner of the cattle, who expressed a very decided opinion that the cattle should be destroyed. After a lengthy discussion of the matter Mr. Shedd offered to contribute the ten reacting animals free of cost for the purpose of an experiment to determine, as far as possible, the proper course to take with cattle in a similar condition. This generous proposition was accepted by the commissioners, with the understanding that at the end of one year a report of results should be made to the public, and, if advisable at that time, the remaining animals in the experiment should be killed and examined. Some idea of the generosity of the gentleman in contributing the cattle can be obtained from the fact that these ten animals were easily worth \$1,000 if sound, and, according to the law of appraisal for condemned animals, would have cost the State \$500 if destroyed. The ten animals were taken to Andover June 25, and, the year having expired, we make a report in accordance with the agreement.

The nine cows were placed upon an isolated farm where they were given such sanitary treatment for the promotion of health as any dairy cattle should have. This includes good ventilation, light, exercise, and moderate feed. The animals were kept in the open air both day and night, except in stormy weather, and for six months the milk of the entire herd was thrown away or fed to pigs. When these cattle were brought to the town some objections were raised on account of endangering other herds, so intense was the fear of tuberculosis, but, there being no objection on the part of the adjoining landowners, there was little attention given to this unnecessary scare. The bull, owing to his size and strength, was kept in another section of the town, where he could be properly handled. These animals were tested with tuberculin by a disinterested veterinarian September 12, December 9, February 23, and those not previously killed May 9. Five of the ten animals passed the test successfully September 12, and five, including the bull, failed

to pass. Owing to the inconvenience and expense of keeping the bull, and the supposition on the part of a few people that he was badly diseased, he was killed soon after the test in September, although there was no previous indication of disease from a careful physical examination. He was killed for the purpose of the experiment and carefully examined by a veterinarian in the presence of many people, but the examination failed to reveal any more evidence of disease than can be found in a large percentage of the cattle in the country to-day. It was so infinitesimal as to require no consideration upon any health basis, and was strong proof of the extravagance in destroying animals by the test alone.

Only three of the remaining animals failed to pass the test applied December 9, and in one of the three the disease had developed sufficiently to be detected by physical examination and was condemned. These three were isolated from the balance of the herd and their milk thrown away. They were again tested February 23, with no material change in the result, and were taken to Concord March 29 and destroyed and examined in the presence of many witnesses. The one condemned by physical examination was found to be a well-developed case of tuberculosis and should be destroyed. Although the other two, killed at the same time, had failed to pass the test, there was no physical evidence of disease, and they were destroyed for the purpose of ascertaining their condition and for the information sought in the experiment. After a very thorough postmortem examination by a veterinarian slight evidence of disease was finally found, but it was even less than that found in the bull, and was in such condition as to lead to the conclusion that it had not only been arrested, but was on the way to ultimate recovery. How much this result was due to the treatment of the animals and how much to the alleged curative qualities of tuberculin is a matter of conjecture only. There are no developments of science in regard to the nature and characteristics of bovine tuberculosis that warrant the destruction of such animals. The remaining six animals were tested with tuberculin February 23 and May 9, and all passed the test each time. The following correspondence passed between the commissioners and Mr. Shedd:

CONCORD, June 18, 1898. 1

MR. F. B. SHEDD, *Tilton, N. H.*

DEAR SIR: When we took the ten Holstein cattle from your place nearly one year ago, the statement was made to you that it was not the policy of the board to destroy such herds as yours appeared to be simply from the fact that the ten animals had failed to pass the tuberculin test. We remarked at the time that we had a desire to study the development of the disease in such cattle for a year or more, and with your accustomed liberality and public spirit you offered to contribute the ten reacting animals free for the purpose of the experiment, cattle that were at least worth \$1,000 at that time. We accepted your generous offer, and, as the year is nearly elapsed, it is due that we make a brief report to you and ask for suggestions in regard to further action.

During this period we have destroyed four of the ten animals, and you have been present at the postmortem of each. One of these showed physical symptoms of the disease soon after it came into our possession and was condemned by the board. The other three showed no physical symptoms of the disease and were selected for reasons well known to you, and which it is not necessary to state here. You will recall the fact that the postmortem of each revealed no disease sufficient to warrant destroying the animals or sufficient to cause any danger, except in the one physically condemned. The others were killed for the purpose of the experiment, and the results are carefully recorded and will be published in full. The milk of none of the cows killed had been sold since we took charge of the animals.

We now have at East Andover the remaining six animals. They have passed the tuberculin test at the last two trials made in February and May, and from any kind of an examination that we are able to make appear to be healthy cattle. Since passing the test the milk has been sold, with the approval of the State Board of Health, the city board of health, and the milk contractors, all of whom have been fully acquainted with the history and condition of the animals and furnished the result of the tuberculin test. There has been no expense to the State for these cattle for the past six months. In view of these facts there seems to be no reason why these cattle should not be put to practical use, and we ask you for suggestions in regard to what shall be done with them. Shall we return them to you? We will gladly do this, if you desire. If not, there seem but two courses open, one of which would be to kill them at once. This would seem extravagant, and warranted only for the purpose of obtaining some information in regard to the effect of repeated applications of tuberculin. The other course would be to keep the cattle for another year at

least and watch developments. Whatever is done, the detailed report of the experiment to the present time can be made, and will be a valuable contribution to the information obtained in regard to this important matter. We await with deep interest any suggestions from you in regard to this matter.

Assuring you of our full appreciation of your liberality and public spirit in donating the animals for the purpose of this experiment and of willingness to return them if you desire,

Yours, truly,

N. J. BACHELDER, *Secretary.*

Mr. Shedd's reply:

TILTON, N. H., June 21, 1898.

N. J. BACHELDER, Esq., *Secretary, Concord, N. H.*

DEAR SIR: I have your favor of June 18, and note what you say with regard to the condition of the cattle remaining in your bands of the herd given by me to your commission for the purpose of obtaining information by experiment upon the very important question of the existence and progress of the disease, tuberculosis, with which it was charged they were infected, after having reacted under the inoculation with tuberculin while in my possession.

I remember the consistent and conservative opinion expressed by you at the time when first your attention was called to the matter and the reasonable course recommended with regard to the treatment of the herd. While from lack of experience and perhaps prejudice I was compelled to differ from the judgment expressed by you, and for the reason that I felt that I could not consistently use the product of cattle that modern science had pronounced diseased, I felt constrained to make such disposition of them as would remove them from the balance of my herd and prevent any possibility of further contamination, not only of my own but of my neighbors' cattle.

The investigations made by your board, of which I have been made aware from time to time, and the information obtained therefrom have substantially changed the radical opinion I have heretofore entertained with regard to the prevalence of the disease generally, and especially with regard to the propriety of condemning any and all cattle which might "react" under the tuberculin test. The examination by your commission of the cattle destroyed, after repeated applications of the tuberculin test, has determined to my satisfaction the fact that judgment based upon that alone is not a safe reliance and that cattle should not be destroyed without other evidence of the presence of disease. You will remember that it was upon this point mainly that we disagreed. I am now convinced of the correctness of your judgment upon the question, and while the experiments have not resulted as I expected, I feel satisfied that your investigations will prove of great value to everyone interested in cattle, and will do much toward the proper solution of a very important problem.

Your claims as to the superior value of the physical examination in determining the extent of the disease have, in my opinion, been fully sustained, and I am now quite ready to agree with you that it is the more reliable method, and that cattle in which the presence of disease can not be determined in this way should not be destroyed.

There remains, however, this question to be solved, and I shall be interested to hear an expression from you upon it: Assuming that the tuberculin test, as applied by me in the beginning, demonstrated the presence of the disease in however slight a form, is it possible that repeated inoculations have not only checked its further development, but effected a complete cure? This, I believe, it was claimed tuberculin would do when it was first offered to the medical profession. If so, such treatment would be of inestimable value.

With regard to the disposition of the six cows remaining in the hands of your commission: As you are aware, they were regarded by me as being of greater value than as mere producers of milk. They were remarkably promising, and were desirable for breeding purposes. Three of them produced each about 40 pounds of milk with their first freshening, and this without other than ordinary feeding. What they might have done with extra feed we are not advised, but it is fair to presume that they were of sufficient promise to warrant being kept for the improvement of the herd.

I judge from your letter that you do not feel it necessary for the furtherance of the experiment that they should be destroyed, which course is in harmony with the opinion expressed by you in the beginning: and I also note your generous offer to return them to me. I scarcely know what to say to this proposition. When I turned over the herd to your commission, as a matter of fact, I expected to relinquish all right to them and to whatever value they represented, expecting and intending to place such value as an offset to whatever expense the State of New Hampshire might be compelled to bear in the conduct of the experiments that

were to be made with them. However, if your board shall feel that it will be as well to return them to me as to keep them longer and to continue to experiment with them, I shall be satisfied to receive them. This I will be pleased to leave with your board to decide, expressing in advance my entire satisfaction with whatever decision you may make.

In closing, I beg to express to your board and to you personally my appreciation of the many courtesies received at your hands, and my sincere thanks for the interest you have taken in the investigation of a question of so much importance to every farmer and to every citizen in the State.

Yours, respectfully,

F. B. SHEDD.

The cattle were returned to Mr. Shedd June 24, and the experiment closed.

IRVING A. WATSON, *President*.

N. J. BACHELDER, *Secretary*.

The action of the board was, however, criticised in certain quarters, undoubtedly for special and individual purposes, and we therefore determined to destroy the animals and make a careful postmortem examination, in order to determine whether or not our conclusions were correct. Accordingly, August 1 they were killed and an autopsy made in the presence of the commissioners, a competent veterinary surgeon, and several witnesses, with the following results:

A careful autopsy was made in each case. All the internal organs were searched for evidences of disease, which were found only as stated below.

No. 1 (3790). A small encysted mass, as large as a medium-sized walnut, was found near the apex of one lung. Two of the bronchial glands were somewhat enlarged and filled with caseous matter of a thick consistency. These were the only lesions found. No evidence of recent inflammatory action or pus. All the other organs were in a healthy condition.

No. 2 (52). Two of the bronchial glands were enlarged and filled with caseous matter. On a small portion of the left lung, adjacent to the fifth rib, were found granulations, probably miliary, and which also appeared in a small patch on the ribs contiguous to the granulations on the lung. No inflammatory condition existed, and no other evidence of disease was found.

No. 3. Bronchial lymphatics slightly enlarged and containing a small amount of cheesy material, apparently encysted. No other evidence of disease.

No. 4 (366). A small nodular, encysted mass, of the size of an ordinary marble, was found in the apex of one lung. No other evidence of disease.

No. 5 (363). In one of the bronchial glands was found a small mass of caseous matter, cylindrical in shape, about one-eighth of an inch in diameter and more than an inch in length, partly calcified. No other evidence of disease.

No. 6 (362). In the upper part of one lung was found a caseous deposit, encysted, the size of a small walnut, with some calcification. In the lower part of the lung was an encysted nodule, about the size of a small cherry, containing caseous matter. No other evidence of disease.

In all the above-mentioned cases a careful examination was made of those organs most likely to be tuberculous, including lungs, liver, heart, stomach, bowels, kidneys, uterus, mammary glands, mesentery, lymphatic, and pigmentary glands—in fact, everything except the brain and spinal cord, which it was not deemed necessary to explore.

All the cows were in an excellent condition, and probably would have passed through most, if not all, slaughtering houses without any disease being discovered, with, perhaps, the single exception of case No. 2, in which the granulations upon the lung, being upon the outer surface, were apparent upon the removal of that organ.

The result of this experiment had great influence in determining the future course of this board. Nearly fifteen months after these six cattle reacted to the



tuberculin they were killed and thoroughly examined, with only the slight traces of the disease as indicated above. This board regards tuberculin, in the hands of a skillful and experienced person, as the most reliable diagnostic agent in this matter; but it also holds a physical examination by a skillful and experienced veterinarian as the most practical course to pursue in the destroying of tuberculous animals. Such a course is believed to be the most practical method of dealing with the disease. Every animal, previous to being destroyed, has been examined and condemned by a qualified veterinarian selected by this board.

## CONCLUSIONS.

Our experience and study in the suppression of bovine tuberculosis convinces us that the enforcement of proper sanitary measures for preventing the development of the disease is as important as destroying diseased animals. A stable once thoroughly infected with tuberculous germs is a very prolific source of the disease, even years later, unless thoroughly disinfected. We have given directions to the owner of every stable inspected in regard to the action required in the matter of ventilation, light, exercise of animals, and disinfection, and have regarded this as the most important part of the work. Many stables have been visited very recently to ascertain if the suggestions have been carried out, and we found that the changes suggested have been invariably made, and that the sanitary conditions of those stables have been greatly improved. Quite a thorough investigation of the conditions existing in the sections of the State where the disease has been found the most prevalent reveals the fact that great progress has been made in its suppression, and in some towns it seems to be almost eradicated.

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Investigation made by the board in various directions demonstrates the correctness of the general statement found in these printed communications,<sup>1</sup> that bovine tuberculosis has been very materially reduced among the herds of the State, and warrants the further statement that New Hampshire cattle are in a comparatively healthy condition, and that their product is as wholesome as a more radical and expensive policy on the part of the commission would have secured.

We desire to emphasize the statement made in previous reports of this board, and already made in this report, that the adoption of preventive measures on the part of stock owners is a matter of equal importance in the permanent suppression of bovine tuberculosis with the destroying of diseased animals. Such matters as ventilation, sunlight, exercise, and judicious feeding are of the greatest importance, and any action that will lead to a more general adoption of these preventive measures will greatly aid in securing the result contemplated. We have less doubt than ever before in regard to the wisdom of the policy adopted and followed by the New Hampshire cattle commission, and believe it to be the most practical method of dealing with bovine tuberculosis. In order to demonstrate that this policy is supported by the organizations most interested in the matter, both from the standpoint of public health and agriculture, we here submit the action taken by the several organizations referred to in this connection, and which have been kept fully informed from time to time of the policy adopted.

IRVING A. WATSON, *President*,  
N. J. BACHELDER, *Secretary*,  
*State Board of Cattle Commissioners.*

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<sup>1</sup> Reports from 40 towns not printed here.

## CERTIFICATES.

STATE OF NEW HAMPSHIRE,  
BOARD OF AGRICULTURE,

Concord, December 14, 1898.

At a meeting of the Board of Agriculture held December 15, 1898, the following action was taken:

*Resolved*, That this board approves the action taken by the New Hampshire cattle commission, and indorses the policy pursued as one calculated to serve the health and live-stock interests in the most practical and economical manner, and has no change to suggest in the management of this important matter.

A true copy of record

Attest:

N. J. BACHELDER, *Secretary*.

NEW HAMPSHIRE STATE GRANGE,  
OFFICE OF EXECUTIVE COMMITTEE,

Concord, December 9, 1898.

This is to certify that the executive committee of the New Hampshire State Grange has been kept fully informed, from time to time, in regard to the work of the State cattle commission, and hereby declares that it is in full accord with the policy pursued, believing it to be the most practical course of suppressing bovine tuberculosis and other contagious diseases of animals. We have noted the result of the experiment conducted with the Holstein herd of cattle and recognize great value to the live-stock interest of the State therefrom.

E. C. HUTCHINSON,  
*Secretary Executive Committee*.

N. J. BACHELDER,

*Secretary Board of Cattle Commissioners, Concord, N. H.*

DEAR SIR: I have been very much interested in the work of the Board of Cattle Commissioners, believing that they are doing very much for the State of New Hampshire. From such information as I have had, it would seem that your work is for two specific reasons: First, the suppression of tuberculosis in cattle to further the public health interests of the State; second, the control of the disease in the financial interests of the stock raiser and farmer. The State Board of Health is especially interested in this work from the standpoint of the first proposition, and we believe that every possible effort should be made to protect the public against disease infection through tuberculous meat and milk. To accomplish this end I believe it is the opinion of most scientists that it is unnecessary to destroy every animal that reacts to the tuberculin test, and that it is unnecessary to test with tuberculin every herd of cattle in the State. It would seem that if a careful and systematic inspection of cattle could be made by competent veterinary surgeons, with the destruction of all animals in which tuberculosis could be discovered upon a careful physical examination, the work would meet all public requirements. I understand that, as far as the law will admit, the work is now being conducted along these lines, and as far as I know is meeting with general approval.

I believe that the law should be amended so as to require an inspection of all dairies and milch cows with such frequency as might be deemed necessary, and that the commission should have power to establish rules and regulations governing the sanitary condition of the stables of all dairy herds.

Very respectfully, your most obedient servant,

G. P. CONN, M. D.,  
*President State Board of Health*.

## NEW JERSEY.

The tuberculosis work of New Jersey is performed chiefly under the act of April 6, 1898, and is in the hands of seven persons, who are known as the State Tuberculosis Commission. This commission acts upon notice from the Secretary of the State Board of Health, State Dairy Commissioner, and also any owner of animals supposed to be diseased with tuberculosis. It shall enforce any regulations that it may adopt.

Indemnity for slaughtered animals is based upon appraisement, the amount paid being three-fourths of the appraised value; but the appraisement shall not exceed \$40 for each animal.

The sum of \$10,000 is appropriated to the commission "for defraying the expenses and for the payment of the proportion of the appraised value of slaughtered animals."

The commission shall have power to cooperate with the Bureau of Animal Industry in any general national system which may be adopted to prevent the spread of bovine tuberculosis.

The importation of dairy cows and neat cattle for breeding purposes is prohibited, except when accompanied by certificate of reliable inspector and have been subjected to the tuberculin test. Transportation companies are prohibited from bringing into the State any such animals not accompanied by the said certificate, and persons who import such animals shall notify the secretary of the commission of the date of importation and number of cattle, their destination, etc. Provision is made for the importation of cattle from States not issuing certificates of inspection.

Cattle brought into the State without a certificate shall be subjected to the tuberculin test, and those which react shall be slaughtered; but no indemnity is paid for such slaughtered animals.

The penalty for violation of the act is not less than \$25 nor more than \$200 for each offense, or by imprisonment of not less than one month or more than six months, or by both such fine and imprisonment; and for a second offense by an imprisonment of not less than six months and not more than one year.

The sum of \$500 is appropriated for the enforcement of the act to prevent the importation of tuberculous cattle into New Jersey.

AN ACT concerning contagious and infectious diseases among animals, and to repeal certain acts relating thereto. (Approved May 4, 1886.)

1. *Be it enacted by the Senate and General Assembly of the State of New Jersey, That in case any contagious or infectious disease shall appear or be suspected to exist in any locality in this State, it shall be the duty of all persons owning or having any interest in animals infected or supposed to be infected, and of any person having knowledge or suspicion thereof, at once to notify the State Board of Health, or some officer or member of said board, of the facts, and it shall be the duty of the said board, upon receiving such information, or any information in regard thereto, to investigate the same, or cause the same to be investigated, and*

if any such disease is found to exist, or likely to break out, to quarantine such animal or animals and to take such precautionary measures with relation to other animals exposed to such disease as shall be deemed necessary, and to enforce such regulations in relation to such diseases as the said board may adopt.

2. *And be it enacted*, That whenever, in the judgment of the said board, its agents or appointees, it shall appear that such disease is not likely to yield to remedial treatment, or that the expense of such treatment will be greater than the value of the animal or animals infected, and when in any case such disease is likely, in the judgment of said board, its agents or appointees, to be communicated to other animals, they shall cause the animals infected to be immediately slaughtered, their remains to be buried at least 4 feet beneath the surface of the ground, and all places in which the same have been kept to be thoroughly cleansed and disinfected.

3. *And be it enacted*, That when any animal or animals shall be slaughtered, as directed in the preceding section, the value of the same may, at the request of said board or any person interested, be ascertained and appraised by three disinterested freeholders resident in this State, who shall make and sign a certificate thereof in the presence of a witness, who shall attest the same; such appraisal shall be made on the basis of the market value of the animal or animals slaughtered just prior to the time when they became so diseased, and shall be limited to the sum of \$100 for registered animals, and to \$40 for all others; one-half of the valuation so ascertained shall be paid by the State on the presentation of such certificate, with the approval of the said board indorsed thereon, to the owner or owners.

4. *And be it enacted*, That when any herd or portion thereof has been or is so exposed to any contagious or infectious disease, and the State Board of Health deem the disease likely to spread to that portion of the herd still unaffected, although isolated or quarantined, said herd may, with the consent of the owner or owners, and with the restrictions agreed upon between them and the executive officer of the State Board of Health, cause or allow said herd or herds to be inoculated for the prevention of such diseases as can be thus mitigated; but any loss resulting from such inoculations shall not constitute any claim against the State or the Board of Health: *Provided*, That inoculation for pleuropneumonia shall in no case be allowed without the consent and approval of the State Board of Health, and shall be made under its direction.

5. *And be it enacted*, That when any city, township, or district shall be threatened with any contagious or infectious disease among animals to such an extent as to seem to require more general precautions, the State Board of Health shall notify the local board of health, and, with the advice and consent of the local board of health, may for a time prohibit the bringing of any cattle into such city, township, or district without inspection and a written permission, and may prohibit the running at large of animals in any township, if not already prohibited by law, for such time as the township board of health shall advise, and the State Board of Health may call upon local boards of health to discover and report cases of contagious disease and aid in measures for its abatement and prevention.

6. *And be it enacted*, That when any animal or herd of animals is held in quarantine under authority given by the laws of this State to the State Board of Health, it shall not be lawful for the owner or keeper thereof to add any animals to such herd, by purchase or otherwise, without the written consent of said board, under penalty of being adjudged guilty of a misdemeanor and fined therefor to an amount not exceeding \$100.

7. *And be it enacted*, That any person or persons refusing or neglecting to notify said board of health, or any of them, of the existence of pleuropneumonia, rinderpest, or any other contagious or infectious disease among animals, shall be deemed

and adjudged guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than \$200 or by imprisonment not exceeding one year, or both, at the discretion of the court, and that if any person or persons shall knowingly buy or sell, or cause to be bought or sold, any animal or animals affected with the pleuropneumonia, rinderpest, or any other contagious or infectious disease, or that has been exposed to a contagious or infectious disease, or is a part of any herd or stock held in quarantine, all such person or persons shall be deemed and adjudged guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$200 or imprisonment not exceeding one year, or both, at the discretion of the court.

8. *And be it enacted*, That when, by reason of the locality of an infected animal or herd within a city, or by reason of frozen ground or extreme heat, it is, in the judgment of the State Board of Health, or those acting under its authority, inexpedient or impossible to bury any such dead or slaughtered animals on the premises, the board may authorize the veterinarian, acting for said board, to slash the skin and cut the flesh of the same, and, either under his direct oversight or that of the city board of health or contractor for the disposal of dead carcasses, to give over the same to the use of a bone-boiling or glue or other establishment for the disposal of dead animals, but in no case shall the same or any part thereof be disposed of for food, and any such disposal of the same shall make the party or parties concerned guilty of a misdemeanor and punishable by a fine not to exceed \$100 or imprisonment in the county jail for a period not exceeding six months.

9. *And be it enacted*, That if, between the first day of October and the first day of May of any year, a veterinarian, who has been regularly graduated in veterinary medicine, desires to make a postmortem examination of any animal he has attended, or at the request of the owner of any animal that has died within the city limits, he may do so, if such examination is made within twenty hours of the death or slaughter of said animal; in every such case he shall notify the city scavenger or remover of carcasses of animals of the hour of his examination, and said scavenger shall arrange to remove the carcass in not more than three hours after the beginning of said examination.

10. *And be it enacted*, That it shall be the duty of the State Board of Health to keep a full and complete record of all the proceedings under this act and report the same annually to the State Board of Agriculture, and such report shall be printed in and form a part of the annual report of said board of agriculture.

11. *And be it enacted*, That the sum of \$2,000 is hereby annually appropriated to the State Board of Health to defray the expenses of the said board in the duties imposed by this act, and that the Governor, Secretary of State, and the Comptroller be, and they are hereby, authorized to determine what sum annually shall be allowed to said board or any member thereof for services in the oversight and execution of the duties hereby imposed, but the amount allowed shall not exceed the sum of \$500 in any one year.

12. *And be it enacted*, That if, on account of the prevalence of any contagious disease of animals, or the necessary guarding against the same, any greater expenditure shall seem to be required, the State Board of Health shall present the facts to the Governor, the Secretary of State, and the Comptroller, who shall authorize such additional amount as they may think necessary, but in no case shall the yearly amount thus authorized to be expended exceed \$5,000.

13. *And be it enacted*, That all bills for money expended under this act shall be audited by the Comptroller of this State, and then submitted to the Governor for his approval, and after being thus audited and approved by the Governor, shall be paid by the State Treasurer upon warrant of the Comptroller.

14. *And be it enacted*, That the following acts, to wit: (1) A supplement to an act entitled "An act to establish a State Board of Health," approved March 9,

1877, which act was approved on the 12th day of March, 1880; (2) A further supplement to an act entitled "A supplement to an act entitled 'An act to establish a State Board of Health.'" approved March 9, 1877, which supplement was approved March 12, 1880, which further supplement was approved on the 23d day of March, 1881; (3) A supplement to an act entitled "An act to establish a State Board of Health," approved March 9, 1877, which supplement was approved March 12, 1880, and also a supplement to the further supplement to said act, approved March 23, 1881, which supplement was approved March 17, 1882; (4) Supplement to act entitled "An act to establish a board of health," approved March 9, 1877, and to supplements thereto relating to the contagious diseases of animals, which supplement was approved on March 23, 1883, and all other acts and parts of acts inconsistent with the provisions hereof, be, and the same are, repealed; but any rights acquired under the said acts, or either of them, and any suits pending under the same shall not be affected by the repeal.

15. *And be it enacted*, That this act shall take effect immediately.

A SUPPLEMENT to an act entitled "An act concerning contagious and infectious diseases among animals and to repeal certain acts relating thereto," approved May 4, 1886. (Approved May 22, 1894.)

Whereas it is said that tuberculosis in cattle prevails in some sections of this State, whereby the health of our citizens is imperiled: Therefore.

SECTION 1. *Be it enacted by the Senate and General Assembly of the State of New Jersey*, That the President of the State Board of Agriculture shall appoint five persons, citizens and taxpayers of this State, who, together with himself and the Secretary of the State Board of Agriculture, shall constitute a commission, who shall, at the request of two members of the State Board of Health or the State Dairy Commissioner or any owner of suspected animals, investigate the existence of tuberculosis, or cause the same to be investigated, and if any such disease is found to exist, to enforce such regulations in relation to the same as the said commission may adopt.

SEC. 2. *And be it enacted*, That when any animal or animals shall be slaughtered by direction of said commission, the value of the same shall be ascertained and appraised by three disinterested freeholders, resident in this State, who shall make and sign certificates thereof in the presence of a witness, who shall attest the same. Such appraisement shall be made on the basis of the market value of the animal or animals slaughtered just prior to the time when they became so diseased, and shall be limited to the sum of \$100 for registered animals and to \$40 for all others. One-half of the valuation so ascertained shall be paid by the State on the presentation of such certificate, with the approval of the said commission indorsed thereon, to the owner or owners.

SEC. 3. *And be it enacted*, That it shall be the duty of said commission to keep a full and complete record of all their proceedings under this act and report the same annually to the State Board of Agriculture, and such a report shall be printed in and form a part of the annual report of the State Board of Agriculture.

SEC. 4. *And be it enacted*, That the sum of \$5,000 is hereby annually appropriated to said commission to defray its expenses and the value of the cattle to be slaughtered by its direction: *Provided*, That no other compensation shall be allowed said commission than the expenses actually incurred in the execution of the duties hereby imposed.

SEC. 5. *And be it enacted*, That all bills for money expended under this act shall be audited by the Comptroller of this State and then submitted to the Governor for his approval; and after being thus audited and approved by the Governor shall be paid by the State Treasurer upon the warrant of the Comptroller.

SEC. 6. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

A FURTHER SUPPLEMENT to an act entitled "An act concerning contagious and infectious diseases among animals, and to repeal certain acts relating thereto," approved May 4, 1886. (Approved March 28, 1895.)

*Be it enacted by the Senate and General Assembly of the State of New Jersey,* That the second section of the act entitled "A supplement to an act entitled 'An act concerning contagious and infectious diseases among animals, and to repeal certain acts relating thereto,'" approved May 4, 1886, which supplement was approved May 22, 1894, be, and the same is hereby, amended to read as follows:

"SEC. 1. That it shall be lawful for the State Tuberculosis Commission to employ one of their number as secretary of the commission, and to fix by resolution such compensation for his services as they, in their judgment, may deem reasonable, which compensation shall be paid in monthly installments, out of the appropriation to said commission, by the State Treasurer upon the warrant of the State Comptroller.

"SEC. 2. That when any animal or animals shall be slaughtered by direction of said commission the value of the same shall be ascertained and appraised by three disinterested freeholders, resident in this State, who shall make and sign certificates thereof in the presence of a witness, who shall attest the same; such appraisal shall be made on the basis of the market value of the animal or animals slaughtered, and shall be limited to the sum of \$100 for registered animals and to \$40 for all others: three-fourths of the valuation so ascertained shall be paid by the State on the presentation of such certificate, with the approval of the said commission indorsed thereon, to the owner or owners: *Provided*, No compensation shall be made for animals considered by the commission to be of no value.

"SEC. 3. That whenever the State Tuberculosis Commission shall have made, or caused to be made, any examination of any animal or herd of animals within this State, and shall have ascertained such animal or herd of animals to be sound and in good health, they shall, upon request from the owner thereof, give to him a certificate in writing, signed by the president and secretary of said commission, certifying to the fact of such examination and of the good health and condition of such animal or herd of animals.

"SEC. 4. That the said State Tuberculosis Commission shall have the power to cooperate with the Bureau of Animal Industry of the United States in any general national system which may be adopted by such Bureau for the prevention of the spread of bovine tuberculosis and its eradication in the United States and its Territories.

"SEC. 5. That there shall be appropriated to the said State Tuberculosis Commission the sum of \$5,000 for defraying its expenses and for payment of the proportion of the appraised value of slaughtered animals required to be paid out of the Treasury of this State, all which payments and expenses shall be made by the Treasurer of this State upon the warrants of the State Comptroller; that in cases of emergency the said commission may, with the consent of the Governor, Comptroller, and Treasurer, in addition to the sum of money hereby appropriated, expend such further sums of money for the purposes of this act, not to exceed in the whole the sum of \$5,000 in any one year.

"SEC. 6. That all acts and parts of acts inconsistent with this act be, and the same are hereby, repealed, and that this act shall take effect immediately."

A FURTHER SUPPLEMENT to an act entitled "An act concerning contagious and infectious diseases among animals, and to repeal certain acts relating thereto," approved May 4, 1886. (Approved April 6, 1898.)

*Be it enacted by the Senate and General Assembly of the State of New Jersey:*

SECTION 1. The second section of the act entitled "A supplement to an act entitled 'An act concerning contagious and infectious diseases among animals, and to repeal certain acts relating thereto,'" approved May 4, 1886, which supplement

was approved May 22, 1894, and which further supplement was approved March 28, 1895, be, and the same is hereby, amended to read as follows:

SEC. 2. Whenever the State Tuberculosis Commission shall be notified by the Secretary of the State Board of Health or the State Dairy Commissioner or any owner or owners of dairy animals requesting them to inspect animals supposed to be diseased with tuberculosis, such person as may be designated by the commission shall proceed to make such inspection and may agree with the owner or owners upon a valuation of such animals as are to be inspected. In cases where no agreement can be reached the person designated by the commission shall choose one disinterested freeholder, the owner or owners shall choose one, and the two shall designate a third, who shall ascertain and decide upon the market value of each animal to be examined by the commission, and shall sign certificates thereof in the presence of a witness, who shall attest the same. Such valuation shall in each case be made on the basis of the market value of the animals the day the valuation is made; and if, upon examination by the commission, any animals in said herd are condemned to be slaughtered, three-fourths of such valuation so ascertained shall be paid by the State to the owner or owners on presentation of such certificate with the approval of the said commission indorsed thereon: *Provided*, Such appraisement shall not exceed \$40 for each animal condemned: *And provided further*, That no compensation shall be made for animals considered by the commission to be of no value.

SEC. 3. Section 5 of said act be amended to read as follows: "SEC. 5. There shall be appropriated to the State Tuberculosis Commission the sum of \$10,000 for defraying the expenses and for the payment of the proportion of the appraised value of slaughtered animals under this act, all which payments and expenses shall be made by the Treasurer of this State upon the warrant of the State Comptroller: *Provided*, That no payments shall be made pursuant to this act until the amount thereof shall have been included in the annual appropriation bill."

SEC. 4. This act shall take effect immediately.

AN ACT to prevent the importation of tuberculous cattle into the State of New Jersey.  
(Approved March 24, 1899.)

*Be it enacted by the Senate and General Assembly of the State of New Jersey:*

1. The importation of dairy cows and neat cattle for breeding purposes into the State of New Jersey is hereby prohibited, excepting when such cows and neat cattle are accompanied by a certificate from an inspector whose competency and reliability are certified to by the authorities charged with the control of the diseases of domestic animals in the State from whence such cattle came, certifying that they have been examined and subjected to the tuberculin test and are free from disease.

2. All railroad, steamboat, ferryboat, and other carrying companies are forbidden to receive cows and breeding cattle in any other State for transportation to any destination within the State of New Jersey, unless such cattle are accompanied by the required certificate, as set forth in Section 1 of this act: and all persons importing cows into the State of New Jersey shall without delay and before disposing of such animals notify the Secretary of the State Tuberculosis Commission, giving date of importation and number of cattle imported and their destination within the State with the certificate of inspection of the State official within the State from whence they came: *Provided*, That when it is desired to import such cattle from States not provided with persons with authority to issue such certificates, the Secretary of the State Tuberculosis Commission may issue a permit for the admission of such cattle to be subjected to examination, as provided for in Section 3.

3. In case cows or breeding cattle shall have been imported into the State without the required certificate and permit provided for in Section 1 of this act, or on



the permit of the Secretary of the State Tuberculosis Commission, as provided for in Section 2 of this act, it shall be the duty of the State Tuberculosis Commission to cause all such animals to be examined to detect the presence of tuberculosis, and may cause them to be subjected to the tuberculin test, and to see that all such animals giving indications of tuberculosis are slaughtered. No indemnity shall be paid by the State to the owner or owners of any tuberculous cattle that have been brought into the State without a certificate of having successfully stood the tuberculin test after November 1, 1899.

4. Any person or persons violating this act shall be guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine of not less than \$25 nor more than \$200 for every such offense, or by an imprisonment for not less than one month nor more than six months, or by both such fine and imprisonment, and for a second offense by an imprisonment of not less than six months and not more than one year.

5. The sum of \$500, or so much thereof as may be necessary, is hereby appropriated to the State Tuberculosis Commission for the enforcement of the provisions of this act, provided said amount is included in the annual appropriation bill, and the State Tuberculosis Commission is hereby empowered to enforce the provisions of this act, and to make such rules and regulations as may be necessary and proper for its enforcement.

6. This act shall take effect November 1, 1899.

#### RULES FOR THE ENFORCEMENT OF THE ACT OF MARCH 24, 1899.

I. No person is permitted to bring into the State of New Jersey dairy cows and cattle for breeding purposes, no matter what their condition, and dispose of the same, without having previously notified the Secretary of the State Tuberculosis Commission, giving date of importation, number of cattle imported, and their destination within the State. Such notice must be accompanied by the number and a full and accurate description of the cattle, the names and addresses of the owner and consignee, the date upon which they are to be brought into the State, the route over which they are to be driven or shipped, and the destination. A blank form to use in rendering this report will be sent upon application to the State Tuberculosis Commission. Having thus given notice, dairy cows and cattle for breeding purposes may be brought into the State of New Jersey in accordance with the following provisions:

II. The cattle may be examined and tested with tuberculin in the State from whence they come by an inspector whose competency and reliability are certified to by the authorities charged with the control of the diseases of domestic animals in that State. Special blanks for reporting upon such examinations and tags for marking and numbering those that pass the examination will be furnished by the State Tuberculosis Commission upon application. Cattle thus examined and found to be free from disease, brought into New Jersey, shall remain in the possession of the person or persons who own them when brought into New Jersey until the inspection reports have been approved by a member of the State Tuberculosis Commission, or by an agent authorized to approve such reports. After such approval the cattle can be disposed of without restriction.

III. When it is desired to bring cattle into the State of New Jersey from States having no official with authority to issue certificates of inspection (the owner having previously conformed to Rule I), such cattle may be brought in by a permit for their admission issued by the Secretary of the State Tuberculosis Commission. Such cattle, when so admitted, must be held in quarantine until they are examined for the existence of tuberculosis by the State Tuberculosis Commission. After such examination all cattle approved by the State Tuberculosis Commission or its agent may be disposed of without further restriction. Any

cattle found to be affected with tuberculosis shall, after such examination, be slaughtered, and no indemnity for such condemned cattle shall be allowed the owner or owners thereof.

IV. In all examinations cattle that are approved by the test should be marked with a metal tag furnished by the Commission, and the number and description of the animal should correspond with the number on the tag.

NOTE.—This law and these rules do not apply to cattle shipped directly through New Jersey to other States.

Approved by the State Tuberculosis Commission, September 1, 1899.

FRANKLIN DYE, *Secretary.*

### NEW MEXICO.

In New Mexico tuberculosis is specified as one of the contagious diseases of cattle against which legislation is directed.

Whenever the Cattle Sanitary Board has reason to believe that a contagious or infectious disease exists in any locality they shall employ a veterinarian to examine into the facts and, if it is deemed necessary, quarantine such cattle, as well as those which have been exposed to the disease. If it is the opinion of the veterinarian that such diseased or exposed animals should be slaughtered in order to stamp out and prevent the spread of the disease, he reports the same to the Sanitary Board, who causes the slaughter of such cattle. Before their slaughter, however, they are appraised, and the owner is paid the sum appraised out of the cattle indemnity fund, which is provided by a special tax.

No indemnity is paid for cattle which were diseased when brought into the Territory, nor in cases where the owner knew or had reason to believe that they were diseased, nor for cattle brought into the Territory contrary to law. Any owner who may not be satisfied with the appraisalment may appeal to the district court, but such appeal shall not delay the slaughtering of the cattle.

The Cattle Sanitary Board is also empowered to employ an attorney to give advice and assist in the enforcement of the law.

### LAW.

AN ACT for the prevention of contagious diseases among cattle. (Approved March 18, 1897.)

SEC. 226. Whenever the Cattle Sanitary Board of this Territory shall have reason to believe that contagious pleuropneumonia, tuberculosis, or any other contagious or infectious disease fatal to cattle exists or has become epidemic upon any premises or in any locality in this Territory, it shall be the duty of said board to employ a competent veterinarian, who shall examine and, if deemed necessary, quarantine, under such rules and regulations as the said board may prescribe, all cattle suspected of being diseased or that have been exposed to such disease.

SEC. 227. Whenever it shall be necessary, in the opinion of said veterinarian, in order to stamp out and prevent the spread of such disease, that the diseased cattle and those that have been exposed thereto, should be slaughtered, he shall report the same to said Sanitary Board, and if the said board be satisfied of the correctness of said report and the necessity therefor, they shall cause such cattle to be slaughtered under the direction of the board or said veterinarian, and the carcasses to be disposed of as the board may direct.

SEC. 228. Prior to such slaughtering the board shall appoint one disinterested person, resident of the county wherein such cattle are to be slaughtered, who shall act with a like disinterested person to be appointed by the owner of such cattle, and fix the price to be paid out of the cattle indemnity fund or the funds realized from the special tax provided for in Section 20 of Chapter 106, Session Acts of 1889, as an indemnity for the slaughter of such animals, and in event said two appraisers are unable to agree, they shall choose a third disinterested resident of said county to act with them in such appraisement.

SEC. 229. All claims for indemnity for cattle slaughtered under the provisions of this act shall be presented to the board, with the sworn certificate of such appraisers, and shall be paid out of any funds at the disposal of said board not otherwise appropriated: *Provided*, That no indemnity shall be paid for cattle which were diseased when brought into this Territory or which the owner thereof knew or had reason to believe were so diseased when they came into his possession, nor for any cattle brought into the Territory contrary to law. Any person aggrieved by such appraisement and award may appeal to the district court for the county in which said cattle were slaughtered, but such appeal shall not delay the slaughtering of such cattle; and such appeal shall be docketed and tried as appeals from justices of the peace are docketed and tried.

SEC. 230. Any person or persons, or the agent or employe of any firm or corporation who shall refuse to permit animals suspected of being diseased to be inspected, quarantined, or slaughtered, as provided in this act, or who shall willfully interfere with said veterinarian or the Sanitary Board, or any of its officers or employes in the discharge of their duties in relation to the inspection, quarantine, or slaughter of such animals, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined for such offense in a sum of not less than \$50 nor more than \$100, or imprisoned in the county jail for not less than thirty nor more than sixty days, or both such fine and imprisonment, in the discretion of the court or justice trying the case.

SEC. 231. The Cattle Sanitary Board of New Mexico shall have authority to employ a competent attorney to give advice and counsel in regard to any matter connected with the duties of the board, to represent the board in any legal proceedings, and to aid in the enforcement of the laws in relation to live stock, and to fix the compensation to be paid to such attorney.

For the purpose of providing funds therefor and for the employment of additional inspectors and other necessary expenses incurred by said board, a special tax shall be levied upon all cattle in the several counties of this Territory in the manner and according to the provisions of Section 20 of Chapter 106 of the acts of the twenty-eighth session of the Legislative Assembly of the Territory of New Mexico, which levy shall be within the limit provided for in said section. Upon the order of the Governor, Auditor, and Treasurer, as provided in said section, the county commissioners of the several counties shall cause such levy to be made upon the assessed valuation of all cattle of the bovine species within their respective counties, and shall cause such tax to be collected and paid over to the Territorial Treasurer to the credit of the cattle indemnity fund.

#### NOTICE.

The following notice is published by the Cattle Sanitary Board:

Whenever it shall come to the knowledge of the board that tuberculosis, pleuropneumonia, or any other contagious or infectious cattle disease exists in or may be brought into this Territory from sections north of the fever quarantine line, the Governor will be advised, that he may at once issue his proclamation, as by law provided. (See Section 188, Compiled Laws of 1897.)

## NEW YORK.

The legislation concerning bovine tuberculosis in New York is embodied in the sections quoted below. The work is done under the direction of the State Board of Health. Whenever the board finds the disease in any part of the State they may issue such orders and take such precautions as they may deem necessary or expedient to suppress or prevent its spread; and they may prescribe regulations for the destruction of cattle affected with tuberculosis. The board, before ordering that an animal be killed, shall first have it examined by a veterinarian of the board, and, if desired by the owner, have it appraised. The appraisal of an animal shall be at its sound value, provided that no single unregistered animal shall be appraised at more than \$60. If a slaughtered animal proves to be affected with tuberculosis, the owner is entitled to receive one-half of the appraised value, provided, however, that not more than \$60 shall be paid for a diseased registered animal and not more than \$25 shall be paid for a diseased unregistered animal. If an animal so killed is found not to be affected with tuberculosis, the owner shall be entitled to receive the full appraised value.

No indemnity is allowed to any person who shall wilfully conceal the existence of tuberculosis or who contributes in any way toward its spread; nor shall indemnity be allowed for animals killed unless they have been owned and possessed within the State for at least three months.

The penalty for violation of any order, rule, or regulation of the State Board of Health with reference to tuberculosis in cattle is \$100.

## LAWS.

SECTION 60. The State Board of Health shall investigate concerning the existence and cause of tuberculosis in cattle and the danger to the public health therefrom, and shall use all reasonable means for averting and suppressing such disease. Such board may cause all proper information in its possession respecting tuberculosis in cattle to be sent to the local board of health nearest to the cattle affected, and may add thereto such useful suggestions as to the removal of the sources of danger therefrom or as to the destruction of such cattle as to such board may seem proper. The local health authorities shall supply to the State Board of Health like information and suggestions respecting the existence of tuberculosis in cattle.

SEC. 61. Whenever tuberculosis shall be found among cattle in any part of the State the State Board of Health shall take measures to suppress such disease and prevent the spread thereof, and may order all persons to take such precautions against the spread of such disease as it may deem necessary or expedient. Such board may call upon any peace officer in the neighborhood of such disease to enforce the orders of such board respecting such disease, and to observe and carry out the rules, orders, and instructions which he may receive therefrom. Such board may prescribe regulations for the destruction of cattle affected with tuberculosis, for the proper dispensation of their hides and carcasses and of all objects which might convey the infection or contagion, and for the disinfection of premises, buildings, boats, cars, stables, and other objects or places from or by which such infection

or contagion might be communicated. The State Board of Health may employ such medical aid, veterinary practitioners, and other persons as it may deem necessary to assist in the inspection, isolation, destruction, or disposition of cattle affected with tuberculosis, prescribe rules and regulations for such inspectors and employes, and fix their compensation.

SEC. 62. Whenever the State Board of Health may deem it necessary for the prevention of the spread of tuberculosis in cattle, such board may cause to be killed any animal affected thereby or which, by contact with diseased animals, or by exposure or infection or contagion therefrom, such board may determine is liable to contract or communicate such disease; but no such diseased animal shall be so killed on account of tuberculosis unless first examined by a veterinary practitioner in the employ of the State Board of Health, and, if desired by the owner, appraised, as hereinafter provided. A local board of health shall, pursuant to rules and regulations prescribed by the State Board of Health, cause to be killed, every horse affected with glanders found within its jurisdiction, but no horse shall be so killed on account of glanders until the value thereof be appraised, as hereinafter provided.

SEC. 63. To determine the value of such animal the Comptroller shall designate some competent, disinterested person, residing within the judicial district in which such animal may be, to act as appraiser, with an appraiser to be selected by the owner of such animal, who shall promptly fix a time when they shall view such animal and shall proceed to appraise the value thereof. In case of a disagreement between the two appraisers, the third appraiser shall be selected by them, and the estimate of the value of either two of them shall be final. The animal shall be appraised at its sound value: *Provided, however,* No single unregistered animal shall be appraised at more than \$60, and no horse affected with glanders shall be appraised at more than \$50. Each appraisal shall be in writing, signed by the appraiser or appraisers agreeing, and shall be delivered by them, if the animal be suspected of tuberculosis, to the veterinary practitioner in charge of such animal, and if the animal be a horse affected with glanders, to the secretary of the local board of health having jurisdiction thereof. Upon the delivery of such appraisal, such animal shall be killed, as hereinbefore provided; and if it be killed on account of tuberculosis, the veterinary practitioner in charge thereof shall forthwith make a postmortem examination of the animal, and if it shall be discovered on such postmortem examination that the animal was affected by tuberculosis, the owner of the animal shall be entitled to receive one-half of the appraised value: *Provided, however,* That not more than \$60 shall be paid for a diseased registered animal and not more than \$25 shall be paid for a diseased unregistered animal; but if such examination of the animal killed on account of tuberculosis discloses that the animal was not affected with tuberculosis, the owner shall be entitled to receive the full appraised value. The written appraisal of the value of an animal killed on account of tuberculosis, and a written statement of the result of the postmortem examination thereof, signed by the veterinary practitioner in charge thereof, shall forthwith be transmitted by such veterinary practitioner to the Secretary of the State Board of Health, who shall file the same in his office. The secretary of the local board of health having jurisdiction in the case of a horse affected with glanders shall, in case such horse is killed, upon receipt of the written appraisal, signed by the appraiser or appraisers, as hereinbefore provided, forthwith make and sign a certificate of such fact, and transmit such appraisal and certificate to the Secretary of the State Board of Health, who shall file the same in his office. Upon receipt from the veterinary practitioner, in case of an animal killed on account of tuberculosis, or from the secretary of the local board of health having jurisdiction in the case of a horse killed on account of glanders, such Secretary of the State Board of Health shall forthwith make a written certificate, signed by him, setting forth the name and

post-office address of the owner of the animal killed, and the amount which such owner is entitled to be paid on account of the killing of such animal, and shall forthwith transmit such certificate to the Comptroller, who shall issue his warrant upon the Treasurer for the payment to such person of the amount so certified, and shall mail the same to such person at his postoffice address as it appears by such certificate. No compensation shall be allowed to any person who shall have wilfully concealed the existence of tuberculosis or glanders among his animals or upon his premises, or who, directly or indirectly, by act or wilful neglect, shall have contributed to the spread of such disease or either of them; and no compensation shall be made under the provisions of this act to any owner for animals killed unless the animal or animals killed shall have been actually owned and possessed by the owner thereof within this State for a period of three months prior to such condemnation. The appraisers to be appointed as aforesaid, by the Comptroller, shall hold office during the pleasure of the State Board of Health. Each appraiser so appointed shall receive as compensation the sum of \$5 per day for each day actually employed, and shall also be paid his actual necessary disbursements; but no claim for services or disbursements shall be allowed or paid unless accompanied by a verified detailed statement thereof.

SEC. 64. Any person refusing to obey, or violating an order, rule, or regulation of the State Board of Health respecting tuberculosis in cattle, adopted pursuant to law, shall be liable to a penalty of \$100, recoverable by the State Board of Health, and applicable to the payment of the expenses of such board in carrying out the provisions of this article.

SEC. 65. The State Board of Health may appoint two of its members as a committee, whose particular duties shall be to carry out the provisions of the public health law relating to tuberculosis in cattle, and such members so appointed shall be entitled to receive a salary of \$250 per month and any necessary expenses, and they shall hold office for one year. Such committee shall keep a complete record of all the work done, and submit monthly reports thereof to the State Board of Health.

### NORTH CAROLINA.

AN ACT to repeal Chapter 85, Laws of 1897, and to re-form the Department of Agriculture Immigration, and Statistics. (Ratified March 4, 1899.)

*The General Assembly of North Carolina do enact:*

SECTION 1. That Chapter 85 of the Public Laws of 1897 and all other laws inconsistent with this act be, and the same are hereby, repealed.

SEC. 7. The Board [of Agriculture] shall investigate and promote such subjects relating to the improvement of agriculture, the beneficial use of commercial fertilizers and composts, and for the inducement of immigration and capital as they may think proper, but they are especially charged—

(2) With investigations adapted to promote the improvement of milch and beef cattle, and especially investigations relating to diseases of cattle and other domestic animals, and shall publish and distribute from time to time information relative to any contagious diseases of stock, and suggest remedies therefor, and shall have power in such cases to quarantine infected animals, to regulate the transportation of stock in this State, or from one section of it to another; and may cooperate with the United States Department of Agriculture in establishing and maintaining cattle districts or quarantine lines, to prevent the infection of cattle from splenic, or Spanish, fever. Any person wilfully violating such regulations shall be guilty of a misdemeanor.

### REGULATIONS.

Under authority of this act, the Board of Agriculture, on December 7, 1899, adopted "regulations for the control of contagious diseases of

live stock." The sections of these regulations which are considered to embrace tuberculosis are as follows:

#### REGULATIONS.

SECTION 8. When the Commissioner of Agriculture shall have good reason to believe, or has received credible information, that a contagious or infectious disease exists among the live stock of this State, or, in case of the nonquarantine territory, that cattle ticks exist on cattle therein, the commissioner shall cause the State Veterinarian or other assistant to investigate said live stock, premises and buildings where the live stock suspected of being diseased or harboring the cattle ticks are kept, and examine said live stock or animals which have come in contact with the aforesaid live stock, for the presence of said suspected disease or cattle ticks.

SEC. 9. Whenever any contagious or infectious disease of live stock shall exist in any portion of the State, or cattle ticks in exempted districts, the infected live stock or infected material which may convey disease, or both, or animals which may have come in contact with such disease, shall be quarantined by the Commissioner of Agriculture on the premises, or in lots or buildings in which they may be found, until such time as danger from the spread of disease is past and all necessary disinfection is completed. The Commissioner of Agriculture is hereby directed to make, publish, and enforce all other rules and regulations temporarily necessary to prevent the spread of contagious and infectious disease in live stock, and cause the disinfection of infected premises by the tenant, owner, or owners, whenever and wherever necessary.

SEC. 10. Whenever any contagious or infectious disease prevails among live stock in any State or Territory of the United States, or any foreign country, live stock from said State or Territory, shall not be admitted to this State except when accompanied by a description or tag, or both, and certificate of absence of disease, or of contact with diseased animals, for thirty days prior to shipment of such live stock, which certificate shall be approved by the State or Territorial Cattle Commissioner, board of health, or veterinarian in charge of the execution of live stock sanitary laws in the State whence the cattle originate, or, in the case of a foreign country, by the Secretary of the United States Department of Agriculture, and be submitted to and acceptable to the Commissioner of Agriculture; said certificate shall be presented before or at the time of the importation of the said live stock into this State.

SEC. 11. The Commissioner of Agriculture shall, upon application of the Superintendent, or authorities, or live stock men of any county, temporarily forbid the entrance of any species of live stock from any infected county or counties until such time as danger of infection from said infected county or counties is past; this local quarantine shall be published in local newspapers, and sufficient notices shall be posted by the Commissioner of Agriculture on the highways at the county line.

SEC. 12. The Commissioner of Agriculture is hereby directed to publish the cattle quarantine laws and these regulations for control of contagious diseases of live stock, together with such maps as may be necessary, and such other information as may pertain thereto, and distribute among the cattlemen of this State.

SEC. 13. These regulations shall be in force on and after January 1, 1900, and supersede those adopted by this board June 2, 1899.

#### INTERSTATE LIVE STOCK TRAFFIC RESOLUTION.

At the meeting of the Board of Agriculture held in Raleigh, March 7, 1900, the following resolution, proposed by the committee on contagious diseases of cattle, was passed without dissent:

Whereas a regulation has already been made by this Board providing that all

cattle shipped here or otherwise introduced from other States, where contagious diseases exist, shall be accompanied by certificates of good health; and

Whereas this regulation has not yet been put in force, and, further, many other States have already taken similar action: Be it

*Resolved*, That the Commissioner of Agriculture shall be instructed at once to take the necessary steps to secure the enforcement of this regulation.

In accordance therewith the following notices are issued:

1. To stock breeders of North Carolina.
2. To all railroad, express, and steamship companies and common carriers doing business in North Carolina; and
3. To live-stock sanitary authorities.

These notices call attention to the enforcement of the regulation in question, and it is expected that all will carry out its spirit and letter.

S. L. PATTERSON, *Commissioner*.

COOPER CURTICE, *Veterinarian*.

NORTH CAROLINA DEPARTMENT OF AGRICULTURE,

*Raleigh, May 1, 1900.*

*To Stock Breeders of North Carolina:*

You are hereby notified that dangerous, destructive, communicable diseases exist in various parts of the United States, to wit: Glanders and farcy in horses and mules, cattle ticks on and tuberculosis in cattle, scab on sheep and other animals, and hog cholera in swine.

Section 10 of the Regulations of the Board of Agriculture, adopted December 7, 1899, to prevent the introduction of such communicable diseases, forbids the admittance into this State of all live stock except when accompanied by a certificate of the live stock sanitary authorities of the State whence the live stock originate, that the said live stock are healthy in every respect.

In purchasing live stock outside the State, inform the breeder of whom you buy that a certificate of health obtained from his live-stock authorities, and bearing the indorsement of this department, must accompany the shipment, in order to avoid trouble, vexatious delays, extra expense, and introduction of disease. The certificate must include a tuberculin examination of cattle for all purposes other than immediate slaughter, or steers for feeding or work.

By careful attention to these points the breeding herds of this State may be kept free from diseases which are now harassing breeders of other States.

Fifteen other States have now legislation to compel the examination of breeding and dairy stock before or at the time of importation.

When breeders design shipping to other States, they should comply with their regulations, and avoid delays and entailed expense upon the arrival of the stock in those States.

Those transferring cattle within the State are especially cautioned about accepting stock that have not been tested. Examinations save much trouble and loss, and guarantee healthy herds, if persevered in.

Refer any question upon sanitary matters to this department.

I am, very respectfully, yours,

S. L. PATTERSON, *Commissioner*.

COOPER CURTICE, *Veterinarian*.

NORTH CAROLINA DEPARTMENT OF AGRICULTURE,

*Raleigh, May 1, 1900.*

*To all railroad, express, and steamship companies and common carriers doing business in North Carolina:*

You are hereby notified that by virtue of the power conferred in the act of General Assembly of North Carolina, entitled "An act to repeal Chapter 85 of the Laws of 1897, and to reform the Department of Agriculture, Immigration, and Statistics," ratified March 4, 1899, which act directs the Board of Agriculture to quar-



antime animals infected with contagious diseases, to regulate the transportation of stock in this State, or from one section of it to another, and to cooperate with the United States Department of Agriculture in establishing and maintaining cattle districts or quarantine lines, to prevent the infection of cattle from splenic, or Spanish, fever, etc., the Board of Agriculture of this State did, on December 7, 1899, make such regulations to take effect January 1, 1900, and supersede regulations adopted by it on June 2, 1899.

By consulting the enclosed regulations and those of the United States Department of Agriculture promulgated at various dates you will note that they are of particular interest to you as common carriers of live stock and as participants in the development of a live-stock industry in this State. The particular orders of the United States Department of Agriculture referred to are its organic law creating the Bureau of Animal Industry, approved May 29, 1884; the recent amendments thereto; B. A. I. Order of April 15, 1887; its amendment dated December 13, 1895, and B. A. I. Orders Nos. 49, 54, 56, and 57.

Your attention is invited to the following points:

1. Under these regulations you can not legally handle any cattle consigned from the quarantined portion of the United States to the counties of this State that have been exempted from quarantine by the United States Secretary of Agriculture.

2. Under Section 7 of the State board regulations you can neither legally deliver nor receive any tick-infested cattle into stock yards of any exempted or any stock-law districts of this State. By carelessness of your agents in this respect the cattle pens west of the Blue Ridge have been closed by the Federal Government, and may be again, thus causing quarantine of all stock in that region. The enforcement of the order in the stock-law region east of the Ridge will hasten the day when it may be relieved from the burdensome restrictions of cattle traffic now placed upon it.

3. Under Section 10 of the board regulations you can not legally deliver live stock shipped into this State unless the animals are accompanied by a certificate of absence of disease, given by the live stock sanitary authorities of the State whence the live stock originates, and approved by this department. Shipping tags bearing the acceptable form of certificate will be supplied to sanitary authorities by this department.

Owing to the presence of communicable diseases in other States, fifteen of these have enacted laws excluding diseased live stock. In order to prevent their shipment into this State the above regulation has become necessary. A few diseased animals introduced into our breeding herds will produce injury from which it will take years to recover. In demanding that the certificate of health shall accompany each shipment, the transportation companies are relieved of attention to the matter further than to see that each shipment bears the certificate, and refuse it without. This method least interferes with traffic when once understood.

Your authority for refusing to ship live stock without certificate is contained in B. A. I. Order, dated December 13, 1895. This prohibits the interstate transportation of animals affected with hog cholera, tuberculosis, or sheep scab, and B. A. I. Order No. 56, dated December 28, 1899, which adds other diseases and live stock, including horses and goats, to the list. Since transportation companies can not act as experts in the detection of diseases in the live stock submitted to them for transportation, they may well insist that such stock be certified by the authorities of the State where accepted.

In assisting in this movement to secure healthy breeding stock for the farms in this State and in preventing the spread of dangerous communicable diseases, you will aid in the upbuilding of the farming industry and add materially to the increased traffic which is dependent upon it.

I am, very respectfully, yours,

S. L. PATTERSON, *Commissioner.*  
COOPER CURTICE, *Veterinarian.*

## NORTH CAROLINA DEPARTMENT OF AGRICULTURE,

Raleigh, May 1, 1900.

*To live stock sanitary authorities.*

GENTLEMEN: You are hereby notified that the Board of Agriculture of this State has passed the accompanying regulations, which includes one to prevent the introduction of diseases into this State through the importation of diseased live stock from other States or foreign countries. See Section No. 10. You will please notify your breeders of this action.

The words "live stock" as therein used are synonymous with the word "animals" as used in the Federal regulations. See B. A. I. Order No. 56, page 2. It includes horses, asses and mules, neat cattle, sheep, and other ruminants, and swine.

The word "disease" especially includes any of the following:

Glanders and farcy, distemper, anthrax, Texas, or splenetic, fever, cattle ticks (*Boophilus bovis*), tuberculosis, actinomycosis, variola, foot rot, scab, hog cholera, and swine plague, as specified in said order No. 56, but does not exclude other communicable diseases.

Shipping tags which must accompany shipments into this State will be furnished each Live Stock Sanitary Board or other authority on application. When used they should each be signed by the chief officer of the board or other authority and its veterinarian in the places left for the purpose. Descriptions of the animals must include such data as will serve to identify them, and must be written on the back of the tags.

The certificate which is acceptable is a duplicate of the shipping tag, and must be sent to this department. All practicable known means of determining the absence of disease must be used by the inspector. A sworn copy of the tuberculin test in case of cattle designed for breeding or dairy purposes must accompany the certificate. The tuberculin test should state the amount and manufacturer of the tuberculin used, give the temperatures taken at two hour intervals from the tenth to the eighteenth hour after injection, and other customary data. The test should especially state at what times previous tests had been made and the results. Examinations must be made by men approved by you.

In insisting that the State which you represent presents satisfactory evidence that live stock destined for this State are healthy, this department takes what it believes is the most economical method of dealing with live-stock control for all concerned, and thereby avoids tedious delays and expenses after shipment of such live stock, which delays are incidental upon enforcement of quarantines and inspections en route.

Your State has the necessary means of investigating surroundings and is especially interested in the upbuilding of its live-stock industry and the reputation of the healthfulness of its stock as breeding animals.

This department, in turn, proposes to furnish certificates of health for all live stock exported to such of the States as demand them.

I am, very respectfully, yours,

S. L. PATTERSON, *Commissioner.*  
COOPER CURTICE, *Veterinarian.*

## NORTH DAKOTA.

The law of North Dakota mentions tuberculosis as one of the contagious diseases of domestic animals. The provisions of the law are carried out by a Chief State Veterinarian, assisted by district veterinarians. The duties of the Chief State Veterinarian are to examine into all reports of contagious or infectious diseases in the State; to

instruct district veterinarians as to the treatment of diseased animals; to furnish material for diagnosing contagious diseases; to issue quarantine regulations, after approval by the Governor; to issue rules and regulations, upon approval of the Governor, for carrying out the purposes of this act.

The district veterinarian may order the slaughter of any animal which he believes to be diseased, after notifying the owner of his proposed action. If the owner feels aggrieved at such decision he may demand a consultation of district veterinarians, who shall decide upon the proper action to take.

When it is desired to bring cattle into the State without a certificate of health from a duly authorized veterinarian, owners shall give notice to a district veterinarian. It is made the duty of owners, if they suspect that there are upon their premises animals having a contagious or infectious disease, to report the fact to the district veterinarian, and to confine such animals in a place isolated from all other animals until the arrival of the district veterinarian, who shall have full authority to take possession, treat, and dispose of such animals.

#### LAW.

AN ACT to prevent the spread of contagious, infectious, and epidemic diseases among domestic animals, creating the office of Chief State Veterinarian, prescribing the duties thereof, and appropriating money for the necessary expenses thereof. (Approved March 23, 1895.)

*Be it enacted, etc.:*

SECTION 1. The professor of veterinary science of the State Agricultural College is hereby made Chief State Veterinarian, who shall serve as such without salary, and who shall, upon entering upon his duties, take an oath to well and truly perform all the duties required of him by law, which said oath shall be taken before any judge of a district court, or notary public within the State, and shall be filed with the Secretary of State.

SEC. 2. The State shall be divided into seven "veterinarian districts," in each of which there shall be appointed by the Governor, by and with the consent of the Senate, one competent veterinarian, who shall be known as the "district veterinarian," who shall hold their office for a term of two years from the date of their appointments, respectively, unless sooner removed for cause, and who, upon entering upon their duties, shall each take an oath to well and truly perform their duties as provided by law, which said oath shall be taken before any judge of the district court or notary public within the district of the State for which they may be appointed, and shall be filed with the Secretary of State.

SEC. 3. District No. 1 shall consist of the first judicial district. District No. 2 shall consist of the second judicial district. District No. 3 shall consist of the third judicial district. District No. 4 shall consist of the fourth judicial district. District No. 5 shall consist of the fifth judicial district. District No. 6 shall consist of the sixth judicial district. District No. 7 shall consist of the seventh judicial district.

SEC. 4. The duties of said Chief State Veterinarian shall be to ascertain by personal examination, or through report from the district veterinarian, in such manner as he shall prescribe, all information that he can obtain regarding the existence of any or all contagious, infectious, and epidemic diseases in the State. He shall also make a complete and permanent record of all reports of the district veterinarians; shall make an examination of all diseased animals or portions of any

such that may be forwarded to him by the district veterinarians, and upon completion of such examination shall instruct the district veterinarians in such way as he may deem proper in regard to the treatment of similar cases. It shall also be his duty to furnish material, as far as lies in his power, for the diagnosis of contagious diseases and instructions as to its uses. In case that remedies are discovered for the prevention or cure of contagious diseases, such as glanders, tuberculosis, anthrax, hog cholera, foot-and-mouth disease, and foot rot, it shall be his duty to furnish the district veterinarian, or any person or persons he may see fit to appoint, the remedies so discovered, with full directions for application. He shall also be empowered to make quarantine regulations and enforce the same, after approval and authority by the Governor. He shall further prescribe, with the consent of the Governor, the rules and regulations necessary to carry out the purposes of this act.

SEC. 5. The duties of said "district veterinarians" shall be as follows:

First. To investigate in person any and all cases of contagious, infectious, and epidemic diseases among cattle, horses, mules, sheep, asses, and other domestic animals within his district of which he may have knowledge, and which may be brought to his notice by any resident or any other person in any locality within his said district where such disease may exist; and it shall also be his duty, in the absence of specific information, to make visits of inspection to any locality within his district where he may have reason to believe that there are contagious or infectious diseases existing among such domestic animals.

Second. To seize and inspect in person at the State line bordering on his district any horses, mules, cattle, asses, sheep, or other domestic animals which may be unloaded temporarily or consigned to any point within his district of the State, when the owner, agent, or person in charge thereof shall not upon demand produce certificates of health of such animals satisfactory to him from a duly authorized State or district veterinarian or examiner of the State from which said animals have been shipped.

Third. To examine in person, so often as he may deem reasonable, all pens, inclosures, and cars within the district within which domestic animals may be confined or transported, and to require the owner, agent, or person in charge of all such pens, inclosures, and cars to keep the same in proper sanitary condition.

Fourth. To require in person the owner, agent, or person in charge of all pens, inclosures, or cars within which domestic animals may be confined or transported to cleanse, fumigate, and disinfect all pens, inclosures, or cars within which such domestic animals may be confined or transported, within two days after written notice, when, in his opinion, such cleansing, fumigating, and disinfection shall be necessary for the prevention of the spread or outbreak of any contagious or infectious disease among such animals.

Fifth. It shall also be the duty of the district veterinarian in person to seize and inspect all domestic animals coming into and to remain within his district of the State without a certificate of the health of such animals from a duly authorized State or district veterinarian or examiner from the State from which said animals have been shipped, and before such animals shall be allowed by the district veterinarian to be transported into and to remain within the State. In addition to such inspection, he shall, in person, require from the owner, agent, or person in charge of such animals an affidavit to the effect that such animals have not been exposed to any infectious or contagious disease for a period of at least ninety days prior to the making of such affidavit; and in case that the district veterinarian shall have reason to believe that any domestic animals have been exposed to or have contracted any contagious or infectious disease it shall be his duty to seize and inspect such animals, notwithstanding any certificate of their health by any veterinarian or examiner of any other State, and report the same to the Chief State Veterinarian.

SEC. 6. Whenever any domestic animals are seized and inspected under the provisions of this act by the district veterinarian while such animals are being trans-

ported in cars, on shipboard, or brought into the State in any other manner, the district veterinarian making such seizure and inspection shall require the owner, agent, or person in charge of such animals to pay one-half cent each for the inspection of sheep and twenty-five cents each for all other animals named herein. All money so collected shall be immediately transmitted to the Chief State Veterinarian, together with a detailed report of the seizure and inspection; and it shall be the duty of the Chief State Veterinarian to transmit monthly all money collected as inspection fees under the provisions of this act to the State Treasurer, who shall receipt to the Chief State Veterinarian. All such fees shall be paid by the State Treasurer into the State Treasury general fund: *Provided*, That no inspection shall be made by any district veterinarian of any domestic animals in transit through the State without special instructions from the Chief State Veterinarian where the owner, agent, or person in charge thereof shall produce certificates of the health of such animals from a duly authorized veterinarian or examiner from the State from which said animals have been shipped.

SEC. 7. In all cases of contagious or infectious diseases among domestic animals in this State the district veterinarian shall have authority to order the quarantine of the infected premises and animals within his district, and upon such order to immediately report the same to the Chief State Veterinarian, and in case such disease shall become epidemic in any locality where such epidemic may exist or become known to immediately notify the Chief State Veterinarian, who shall thereupon have authority to enforce a permanent quarantine and prevent the removal therefrom of any animals of the kind among which said epidemic exists until the district veterinarian of such district locality shall report such animals to be in healthy condition, and upon such a report a certificate shall be issued by the Chief State Veterinarian permitting the removal of the animals that are reported to be healthy. The expense of holding and taking care of all animals quarantined under the provisions of this act shall be paid by the owner, agent, or person in charge of the same.

SEC. 8. In case of any epidemic diseases where premises and animals have been previously quarantined by order of the Chief State Veterinarian or by the district veterinarian, as hereinbefore provided, the district veterinarian is further authorized and empowered, when in his judgment it is necessary, to order that any and all diseased animals shall be quarantined at such places and in such a manner as he shall direct, and shall be held in such quarantine until released by certificate of the Chief State Veterinarian, as provided in Section 7 of this act; and in case the district veterinarian shall find that any one or more of the animals so quarantined are so diseased that it becomes necessary to destroy the same to prevent the spread of such disease to other animals, he shall at once serve, in person, a written notice of his intention to destroy upon the owner, agent, or person in charge of the animals so quarantined and condemned; and if such owner, agent, or person in charge of such animals feels aggrieved by the decision of the district veterinarian, and shall desire a consultation of veterinarians, notice in writing to that effect must within twenty-four hours thereafter be served upon the district veterinarian issuing the notice, and it is hereby made the duty of the resident district veterinarian to summon two district veterinarians from adjoining districts to appear and assist in diagnosing and pronouncing upon the character of the disease with which said animal or animals are supposed to be infected; and in case all three district veterinarians, or any two of them, declare said disease to be contagious or infectious in its character, and that such animal or animals should be destroyed to prevent the spread of such disease to other animals, the district veterinarian of the district wherein the animal or animals are located shall immediately slaughter such animal or animals, and not otherwise, and shall then make in duplicate a written statement, setting forth distinctly the nature of the disease for which such animals were condemned and destroyed, to be served on each owner thereof, the original of each order to be filed by the district veterinarian

with the Chief Veterinarian and the duplicate thereof given to the said owner, agent, or person in charge of said condemned animals. It shall be the duty of the owner, agent, or person in charge of any and all animals slaughtered under the provisions of this act to immediately bury the carcass of such slaughtered animals in a trench at least six feet in depth and at least four feet beneath the surface of the ground, or burn and consume such carcasses under the direction of the district veterinarian; and it is hereby made the duty of the district veterinarian, in person, to require the owner, agent, or person in charge of such slaughtered animals within his district to immediately bury or burn under his personal supervision the carcasses of such slaughtered animals, as herein provided, except in all cases where the cause of death is due to anthrax, when they shall immediately be burned.

SEC. 9. Each district veterinarian shall make a report at the end of every three months, and at such other times as may be required, to the Chief State Veterinarian, of all matters connected with his work, the forms of such reports to be furnished by the Chief State Veterinarian; and the Chief State Veterinarian shall transmit to the several boards of county commissioners, as often as he deems necessary, such parts of said reports as may be of general interest to the breeders of live stock, and he shall also give information, in writing, as soon as he obtains it, to the various boards of county commissioners, of each case of suspicion or fresh outbreak of disease in any locality, its causes, and the measures adopted to check it.

SEC. 10. It shall be the duty of any owner, agent, or person in charge of any cattle, horses, mules, asses, sheep, or other domestic animals, where such owner, agent, or person in charge thereof intends to bring any such animals into the State for distribution, sale, transportation, or permanent location therein, without a certificate of their health from a duly authorized veterinarian or examiner of the State from which such animals are shipped, to give notice in writing to the district veterinarian of the district of the State bordering on the State line from which said animals [are] brought at least three days before such animals are brought into this State beyond the quarantine station at the State line of such district; and it shall be the duty of any person or persons who shall have knowledge or suspect that there is upon his or their premises or upon the public domain any case of contagious, infectious, and epidemic disease among domestic animals, to immediately report the same to the district veterinarian of the district wherein such animals or cattle may be, and a failure so to do, or any attempt to conceal the existence of such diseases, or a failure to give notice before passing the quarantine station at the State line of said district, as in this section required, or to wilfully or maliciously obstruct or resist or disobey any order issued by the Chief State Veterinarian or the district veterinarian, or in any way interfere with the discharge of their duties, as set forth in this act, shall be deemed a misdemeanor, and any person or persons who shall be convicted of any one of the above acts or omissions shall be fined not less than \$50 nor more than \$2,000 for each and every such offense; and upon conviction of such offense a second time shall, in addition to the above-named fine, be imprisoned in the county jail of the county wherein convicted, or as otherwise provided by law, for a term of not less than ninety days nor more than one year.

SEC. 11. The following resolutions shall be observed in all cases of disease discovered by this act:

First. It shall be unlawful to sell, give away, or in any manner part with any animal affected with or suspected of being affected with any contagious or infectious disease; and in case of any animal that may be known to have been affected with or exposed to any such disease within one year prior to such disposal, due notice of the fact shall be given in writing to the party receiving the animal.

Second. It shall be unlawful to kill for butcher purposes any such animal; to

sell, give, or use any part of it or its milk, or to remove any part of the skin. A failure to observe these provisions shall be deemed a misdemeanor, and, on conviction, shall be punished by a fine not less than \$100 nor exceeding \$2,000; and, in addition to the above-named fine, be imprisoned in the county jail for a term of not less than ninety days nor more than one year. It shall be the duty of the owner, agent, or person having in charge any animal infected with or suspected of being infected with any contagious or infectious disease, to immediately confine the same in a safe place, isolated from all other animals, and with all necessary restrictions to prevent the dissemination of the disease until the arrival of the district veterinarian within and for the district wherein the same may be at the time. The above regulations shall apply as well to animals in transit through the State as to those resident therein, and the district veterinarian shall have full authority within his district to examine, whether in yard, pasture, or stables, or upon the public domain, all animals passing through the State within his district or any part of it, and on detection or suspicion of disease, take possession of and treat and dispose of such animals in the same manner as is prescribed for animals resident within the State.

SEC. 12. Each of said district veterinarians shall receive for their [his] services the sum of \$600 per annum. The payment of such salary shall be made from any funds in the State Treasury not otherwise appropriated, monthly, upon itemized vouchers, signed and sworn to by each for his separate district and submitted to the State Auditor, who shall draw warrants upon the State Treasurer for the amount thereof, if found correct, separately. No person shall be competent under this act to receive the appointment of district veterinarian who is not at the date of his appointment a graduate in good standing of a recognized college of veterinary surgeons, or who has not practiced veterinary surgery within the State for at least five years. Before entering upon the discharge of his duties he shall give a bond to the State of North Dakota, with a good and sufficient surety, in the sum of \$2,000, conditioned on the proper discharge of the same. No constructive mileage shall be paid under this act, nor shall the district veterinarian receive any mileage except when called in cases of consultation, as hereinbefore provided, when he shall receive actual expenses paid by him.

SEC. 13. The district veterinarians shall select the place or places within their respective districts at which all animals referred to herein shall be quarantined.

SEC. 14. All fines collected under the provisions of this act shall be paid into the general funds of the State.

SEC. 15. It is hereby made the duty of the Attorney-General or State's attorney of the respective counties of the veterinarian district to prosecute any case complained of by the district veterinarian of such district for prosecution in any justice or district court within the jurisdiction of which any violation of this act may have been had, and on conviction of violation of any of the provisions of this act the court, in addition to the penalties prescribed by law, shall add thereto reasonable attorney's fees, as it may be determined just in the premises.

SEC. 16. [Refers to sheep.]

SEC. 17. [Refers to sheep.]

SEC. 18. [Refers to sheep.]

SEC. 19. In addition to the duties of the Chief State Veterinarian hereinbefore described, he shall make an annual report to the Governor on or before the first day of December of all matters connected with his work, and in addition thereto may, from time to time, as in his judgment seems best, publish bulletins for general distribution, giving information as to the existence of animal diseases in the State, and such suggestions thereto as to care and treatment as he thinks proper.

SEC. 20. For the purpose of carrying out the provisions of this act as herein set forth there shall be appropriated, out of any money in the State Treasury not otherwise appropriated, an annual sum of \$3,600 with which to pay the salaries of

the district veterinarians, and the further annual amount of \$500 for stationery, clerk hire, and all traveling and other necessary expenses of the Chief State Veterinarian.

SEC. 21. In case of any serious outbreak of any contagious, infectious, or epidemic diseases among domestic animals which can not be supervised by the district veterinarian, the Chief State Veterinarian shall at once notify the Governor, who shall thereupon appoint a sufficient number of deputies to perform the required duties at such compensation as he may deem proper, not to exceed \$5 per day for the actual time employed, the same to be paid out of the general fund of the State upon vouchers duly approved by the Governor and the Chief State Veterinarian.

SEC. 22. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 23. An emergency exists in that the existing law is inadequate to prevent the spread of contagious and infectious diseases among domestic animals within the State, this act should take effect prior to July 1, 1895: Therefore this act shall take effect and be in force from and after its passage and approval.

### OHIO.

No special legislation with reference to bovine tuberculosis is on the statutes of Ohio, but the Board of Live Stock Commissioners may deal with the disease as one of the "dangerous and fatal diseases among domestic animals."

The board is authorized to use all proper means to prevent the spread and provide for the extirpation of all such diseases. Owners of animals affected with any infectious or contagious disease must immediately report the fact to the board, who shall cause an examination by a veterinarian. If the animals are found to be diseased or to have been exposed to disease, they shall be quarantined. The board must also prescribe such regulations as they may deem necessary to prevent the contagion from spreading.

It is also unlawful to bring into the State or to sell or dispose of any animal known to be affected with a contagious or infectious disease, except under such conditions as the board may prescribe. The penalty for violation is not to exceed \$500.

Whenever the Governor believes that any such disease exists in any locality in another State or Territory, he shall prohibit, by proclamation, the importation of any live stock of the kind diseased into the State, except as may be prescribed by the State Board of Live Stock Commissioners.

There is no provision for indemnity for cattle which may be slaughtered on account of tuberculosis.

### LAW.

(From Bates's Annotated Ohio Statutes, 1897.)

(4211-9) SECTION 1. The Governor shall, with the advice and consent of the Senate, appoint three persons, who shall constitute a Board of Live Stock Commissioners, who shall hold their office in the order in which they are named, the first for one year, the second for two years, the third for three years, and their



successors in office shall be appointed for three years each. They shall meet as soon as practicable after their appointment, and, after taking the oath of office, shall appoint from their number a president and secretary.

(4211-10) SEC. 2. The Board of Commissioners are authorized to use all proper means to prevent the spread of dangerous and fatal diseases among domestic animals, and to provide for the extirpation of such diseases; and in the event of any such contagious or infectious disease breaking out in the State it shall be the duty of all persons owning or having in charge animals infected with the same to immediately notify said Board of Commissioners, or some member thereof, of the existence of such disease; and thereupon it shall be the duty of said board immediately to cause proper examination thereof to be made by a competent veterinarian; and if said disease shall be found to be a dangerously contagious or infectious malady, the board shall order the diseased animals, and such as have been exposed to the contagion, to be strictly quarantined in charge of such person as the board, or an authorized member thereof, shall designate, and to order any premises or farms where such disease exists, or has recently existed, to be put in quarantine, so that no domestic animal subject to such disease may be removed from or brought to the premises or places so quarantined; and the board shall prescribe such regulations as they may deem necessary to prevent the contagion from being communicated in any way from the premises so quarantined.

(4211-11) SEC. 3. The bodies of all dead animals shall be buried or burned by the owners thereof, as provided by law.

(4211-12) SEC. 4. That any person having in his possession or under his care any animal which he knows or has reason to believe is affected with a dangerously contagious or infectious disease, and does not, without unnecessary delay, make known the same to said board, or to some member thereof, or to the sheriff or constable of the proper county, to be by him communicated to said board; or any person or corporation who shall bring into this State, or sell or dispose of any animal, knowing the same to be affected as aforesaid, or any animal having been exposed to such contagion, within three months of such exposure, or shall move the animal so diseased or exposed from the quarantine to which it was ordered by the Board of Commissioners, or shall move any animal to or from any district in this State declared to be infected with such contagious disease, or shall bring into this State any animal of the kind diseased from any district outside of the State that may at any time be legally declared to be affected with such disease, without the consent of said board, except under such conditions as are or may be prescribed by said board, shall, upon conviction of either of the aforesaid offenses, be fined in any sum not exceeding \$500. And all proper expense incurred in the quarantining of animals under the provisions of this act shall be paid by the owners thereof, and if the same is refused, after demand made by order of the commissioners, an action may be brought to recover the same with costs of suit, which action may be brought in the name of the State of Ohio for the use of the Board of Live Stock Commissioners. It shall be the duty of all sheriffs and constables to execute within their several counties all lawful orders of the said commissioners.

(4211-13) SEC. 5. The Board of Commissioners shall keep a record of their acts and investigations of diseases of live stock and report the same to the Governor on the first Monday of November annually, and at such other times as the Governor may order; and such parts of said report as shall be of general interest to breeders of live stock may be transmitted to the Department of Agriculture, to be published with their proceedings. Said board shall receive for their services the sum of \$4 per day and necessary traveling expenses for each day any member is actually engaged in the investigation of reported cases of outbreaks of disease, as herein provided, or in arranging for the quarantine of diseased animals and other duties connected therewith; and when it becomes necessary for said board to employ any veterinarian, sheriff, constable, or such other persons as may be deemed essential

to assist the commissioners in performing their duties, as set forth in this act, they are authorized to fix and certify their compensation, a properly itemized account of which shall be made out and certified by the board, and paid upon the order of the Governor.

(4211-14) SEC. 6. For the purpose of carrying into effect the provisions of this act the sum of \$1,000, or so much thereof as may be necessary, is hereby appropriated out of any funds not otherwise appropriated.

(4211-15) SEC. 7. Whenever the Governor of the State of Ohio shall have good reason to believe that any dangerous, contagious, or infectious disease has become epidemic in certain localities in other States, Territories, or counties [countries], or that there are conditions which render domestic animals of such infected districts liable to convey such disease, he shall, by proclamation, prohibit the importation of any live stock of the kind diseased into the State, except under such regulations as may be prescribed by the State Board of Live Stock Commissioners and approved by the Governor.

### OKLAHOMA TERRITORY.

Oklahoma has no law relative to bovine tuberculosis.

### OREGON.

No special law relating to bovine tuberculosis is on the statutes of Oregon, but the disease may be dealt with under the law concerning "contagious or infectious diseases of a malignant character." The tuberculin test may be applied in accordance with Section 6 of the act below. This law provides that the Governor, Secretary of State, and President of the State Board of Agriculture are constituted a board entitled the "Oregon Domestic Animal Commission." The duty of this commission is "to protect the health of the domestic animals of the State from all contagious or infectious diseases of a malignant character," and it is empowered to establish, maintain, and enforce such quarantine, sanitary, and other regulations as it may deem necessary.

It is the duty of the State Veterinarian (who is appointed by the commission), upon the receipt of information that a contagious or infectious disease exists in any part of the State, to examine the animals reported to be diseased. If he finds the animals to be diseased, he may take prompt measures to prevent the spread of the disease, notifying the commission of his actions. The commission directs further action and prescribes such rules and regulations as in their judgment may be necessary to suppress the disease.

When the commission shall determine that there is danger that the live stock of the State may become affected with a contagious or infectious disease from the live stock of other States or Territories, they shall acquaint the Governor with the facts, and he shall issue a proclamation indicating the boundary of such quarantine and giving the orders, rules, and regulations prescribed by the commission.

If the commission decides that a diseased animal shall be killed, it appraises the value of the animal, taking into consideration its dis-

eased condition. A certificate showing the number and kind of animals killed and the appraised value is filed with the Secretary of State, who issues a warrant upon the Treasurer for the amount. The right to indemnity does not extend to animals brought into the State in a diseased condition or from a State or Territory in which the diseases with which the animal was affected exists, nor to animals brought into the State in violation of the law or of the rules and regulations.

Animals so diseased shall not run at large, and the owner of such animals or his agent shall not sell, ship, drive, trade, or give them away, under penalty of a heavy fine. Such animals are not to be imported into the State.

The Governor may issue a proclamation prohibiting the importation of animals from States or Territories where contagious or infectious diseases exist unless accompanied by a certificate of health.

The commission is authorized to cooperate with the Bureau of Animal Industry in any efforts toward the suppression or extirpation of infectious or contagious diseases.

The general penalty for violation of any of the provisions of this act or of any of the rules and regulations of the commission is a sum not less than \$10 nor more than \$250.

#### LAW.

AN ACT to prevent the spread of contagious animal diseases. (Approved February 25, 1889.)

SECTION 1. *Be it enacted by the Legislative Assembly of the State of Oregon,* That the Governor, Secretary of State, and the President of the State Board of Agriculture are hereby created a board, under the name and style of the "Oregon domestic animal commission." Said commission shall appoint a competent and skilled veterinary surgeon for the State, who shall hold the office for two years or until his successor is appointed.

SEC. 2. Said veterinary surgeon, before he enters upon the duties of his office, shall take and subscribe to the constitutional oath of office and file the same with the Secretary of State.

SEC. 3. [As amended February 21, 1891.] The salary of the State Veterinarian shall be fixed by the commission and shall not exceed \$1,500 a year and his necessary traveling expenses, and the salaries of the commissioners shall be \$250 each per annum.

SEC. 4. [As amended February 21, 1891.] It shall be the duty of the commission to protect the health of the domestic animals of the State from all contagious or infectious diseases of a malignant character, and for this purpose it is hereby authorized and empowered to employ local inspectors in localities where the commission deem it essential for the protection of domestic animals from contagious diseases, and to establish, maintain, and enforce such quarantine, sanitary, and other regulations as it may deem necessary.

SEC. 5. [As amended February 21, 1891.] It shall be the duty of the stock inspector of each county, and of each local inspector, who discovers, suspects, or has reason to believe that any domestic animal or animals in his county or locality is affected with any dangerous contagious disease to immediately report such fact to the State Veterinarian.

SEC. 6. [As amended February 23, 1895.] It shall be the duty of said State Veterinarian, upon receipt of such information from a stock inspector of any county

that any contagious or infectious disease does exist, to immediately examine, or depute a competent person to examine, all animals reported to be diseased; and if he finds that such animals are infected with a contagious or infectious disease, he shall promptly take such measures as he may deem expedient and necessary to prevent the spread of the disease; he shall also immediately notify the commission of his actions, which shall be subject to the approval of the commission, who shall subsequently instruct him how to proceed and prescribe such rules and regulations as in their judgment the exigencies of the case may require for the effectual suppression and eradication of the disease; and for that purpose the State Veterinarian may list and describe the domestic animals affected with such disease and those which have been exposed thereto and included within the infected district or premises so defined and quarantined with such reasonable certainty as would lead to their identification; and no domestic animal liable to become infected with the disease or capable of communicating the same shall be permitted to enter or leave the district, premises, or grounds quarantined except by the authority of the commission. When, in the opinion of the commission, it shall be necessary to prevent the spread of contagious or infectious diseases among the live stock of the State to destroy animals affected with or which have been exposed to any such disease, it shall be determined what animals shall be killed and appraise the same as hereinafter provided and cause the same to be killed and the carcasses disposed of as in their judgment will best protect the health of domestic animals of the localities. When, in the opinion of the commission, any of the live stock of the State are infected with tuberculosis, the commission shall have the power to instruct and authorize the State Veterinarian to apply to such animals as are suspected as having tuberculosis the "tuberculin" test.

SEC. 7. When, in the opinion of the commission, it becomes necessary to restrict or regulate the traffic of domestic animals coming from other States, Territories, and counties [countries] to this State, they shall establish quarantine stations and prescribe such other rules and regulations as they may deem essential; also, may compel railroad companies that are operating railroads within the State to disinfect cars, yards, or premises and keep all stock cars in a cleanly and healthy condition that are under their control where animals affected with contagious or infectious diseases have been, and by the consent of the Governor can prohibit said companies or individual owners of railroads, steamboats, ships, and all other conveyances from bringing domestic animals into the State contrary to the regulations of the commission.

SEC. 8. When the commission shall have determined the quarantine and other regulations necessary to prevent the spread among domestic animals of any malignant, contagious, or infectious disease found to exist among the live stock of this State, or liable to be brought from other States, Territories, or countries, and given their orders, as hereinbefore provided, prescribing quarantine and other regulations, the Governor shall issue his proclamation, proclaiming the boundary of such quarantine and the orders, rules, and regulations prescribed by the commission, which proclamation may be published by written or printed handbills posted within the boundaries or on the lines of the district, premises, places, or grounds quarantined: *Provided*, That if the commission decide that it is not necessary, by reason of the limited extend [extent] of the district in which such disease exists, that a proclamation should be issued, then none shall be issued; but such commission shall give notice as may to it seem best to make the quarantine established by it effective.

SEC. 9. Whenever the commission shall direct the killing of any domestic animal or animals, it shall be the duty of the commission to appraise the animal or animals condemned, and in fixing the value thereof the commission shall be governed by the value of said animal or animals at the date of appraisalment, taking into consideration its diseased condition.

SEC. 10. Whenever any live stock have been appraised and killed by order of the commission, it shall issue to the owner of the stock so killed a certificate showing the number and kind of animals killed and the amount to which the owner is entitled, and the Secretary of State shall draw his warrant on the State Treasurer for the amount therein stated, payable out of any money in the Treasury not otherwise appropriated.

SEC. 11. When any animal or animals are killed under the provisions of this act by order of the commission, the owner thereof shall be paid therefor the appraised value as fixed by the appraisal hereinbefore provided for: *Provided*, The right of indemnity on account of animals killed by order of the commission, under the provisions of this act, shall not extend to the owners of animals which have been brought into the State in a disease [diseased] condition, or from a State, country, Territory, or district in which the disease with which the animal is affected or to which it has been exposed exists, nor shall any animal be paid for by the State which may be brought into the State in violation of any law or quarantine regulations thereof, or the owner of which shall have violated any of the provisions of this act, or disregarded any rule, regulation, or order of this commission. Nor shall any animal be paid for by the State which came into the possession of the owner with claimant's knowledge that such animal was diseased or was suspected of being diseased, or of having been exposed to any contagious or infectious disease.

SEC. 12. Any person who shall have in his possession any domestic animal affected with any contagious or infectious disease, knowing such animal to be so affected, or after having received notice that such animal is so affected who shall permit such animal to run at large, or who shall keep such animal where other domestic animals not affected by or previously exposed to such disease may be exposed to such contagion or infection, or who shall sell, ship, drive, trade, or give away such diseased animal or animals which have been exposed to such contagion or infection, or who shall move or drive any domestic animal in violation of any direction, rule, or regulation, or order establishing and regulating quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$10 nor more [than] \$250 for each of such diseased or exposed domestic animals which he or they shall permit to run at large or keep, sell, ship, drive, trade, or give away in violation of the provisions of this act: *Provided*, That any owner of any domestic animal which has been affected with or exposed to any contagious or infectious disease may dispose of the same after having obtained from the State Veterinarian a certificate of health for such animal: *Provided, also*, That horses running on the range within this State infected with distemper, lung or mountain fever shall be exempt from the operation of this act.

SEC. 13. Any person who shall knowingly bring into the State any domestic animal which is affected with any contagious or infectious disease, or any animal which has been exposed to any contagious or infectious disease, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$10 nor more than \$250.

SEC. 14. Any person who owns or is in possession of live stock which is affected, or which is suspected or reported to be affected, with any contagious or infectious disease, who shall wilfully prevent or refuse to allow the State Veterinarian or Commissioners or other authorized officer or officers to examine such stock, or shall hinder or obstruct the State Veterinarian or other authorized officer or officers 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 \$10 nor more than \$250.

SEC. 15. Any person or persons who shall wilfully violate or evade, or attempt to violate, disregard, or evade any of the provisions of this act, or who shall wil-

fully violate, disregard, or evade any of the rules, regulations, orders, or directions of the Commission establishing and governing quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$10 nor more than \$250.

SEC. 16. The commission provided for in this act shall have power to employ, at the expense of the State, such persons and purchase such supplies and material as may be necessary to carry into full effect all orders by it given and to pay a reasonable compensation therefor.

SEC. 17. [As amended February 21, 1891.] The commission shall have power to call upon any sheriff, undersheriff, deputy sheriff, constable, or stock inspector of any county to execute their orders, and such officers shall obey the orders of said commission, and the officers performing such duties shall receive compensation therefor as is prescribed by law for like services, and shall be paid therefor in like manner, and any officer may arrest and take before any justice of the peace of the county any person found violating any of the provisions of this act, and such officer shall immediately notify the prosecuting attorney of such arrest, and he shall prosecute the person so offending according to law.

SEC. 18. Whenever the Governor of the State shall have good reason to believe that any dangerous, contagious, or infectious disease has become epizootic in certain localities in other States, Territories, or countries, or that there are conditions which render such domestic animals from such infected districts liable to convey such disease, he shall by proclamation prohibit the importation of any live stock of the kind disease [diseased] into the State, unless accompanied by a certificate of health, given by a duly authorized veterinary surgeon; and all such animals arriving in this State shall be examined immediately upon their arrival by the State Veterinarian, and if in his opinion there is any danger of contagion or infection they shall be placed in close quarantine until such danger of contagion and infection is passed, when they shall be released by order of the Commissioners: *Provided*, That sheep shall be exempt from the operation from [of] this act.

SEC. 19. For the purpose of this act, each member of the commission is hereby authorized and empowered to administer oaths and affirmations.

SEC. 20. This commission is hereby authorized and required to cooperate with any board or commission acting under any present or future act of Congress for the suppression and prevention of contagious or infectious diseases among domestic animals, and the same right of entry, inspection, and condemnation of diseased animals upon private premises is granted to the United States Board of Commissioners as is granted to the commission under this act.

SEC. 21. The commission shall make biennially a detailed report of its doings to the Legislature at its regular business session.

SEC. 22. This act shall take effect immediately upon its passage by the Senate and House and has been approved by the Governor.

### PENNSYLVANIA.

The laws and rules and regulations of Pennsylvania relative to bovine tuberculosis are best presented in the language of Dr. Leonard Pearson, State Veterinarian, and Mr. M. P. Ravenel, in their report to the State Department of Agriculture, and published in part II of the Report of that Department for 1899. Pages 464 to 490, inclusive, of that report are copied below:

The need of controlling this disease [tuberculosis] has been evident for a long time, and in view of this need the law authorizing the Secretary of the State Board of Agriculture to take steps to eradicate contagious pleuropneumonia of

cattle was so drawn as to confer authority upon the same officer to deal, within certain limits, with other diseases, including tuberculosis. This law was passed in the year 1889, and was in force until the law that follows was enacted by the Legislature of 1895 and approved by the Governor on May 21 of that year:

AN ACT To establish the State Live Stock Sanitary Board of Pennsylvania, and to provide for the control and suppression of dangerous, contagious, or infectious diseases of domestic animals. (Approved May 21, 1895.)

SECTION 1. *Be it enacted, etc.,* That a board is hereby established to be known as "The State Live Stock Sanitary Board." This board shall consist of the Governor of the Commonwealth, the Secretary of Agriculture, the State Dairy and Food Commissioner, and the State Veterinarian, who shall be a competent and qualified person, as provided in the act entitled "An act to create a Department of Agriculture and define its duties."

SECTION 2. That it shall be the duty of the State Live Stock Sanitary Board to protect the health of the domestic animals of the State, to determine and employ the most efficient and practical means for the prevention, suppression, control, or eradication of dangerous, contagious, or infectious diseases among the domestic animals, and for those purposes it is hereby authorized and empowered to establish, maintain, enforce, and regulate such quarantine and other measures relating to the movements and care of animals and their products, the disinfection of suspected localities and articles, and the destruction of animals, as it may deem necessary, and to adopt from time to time all such regulations as may be necessary and proper for carrying out the purposes of this act: *Provided, however,* In the case of any slowly contagious diseases, only suspected or diseased animals shall be quarantined.

SECTION 3. That when it shall be deemed necessary to condemn and kill any animal or animals to prevent the further spread of disease, and an agreement can not be made with the owners for the value thereof, three appraisers shall be appointed, one by the owner, one by the commission or its authorized agent, and the third by the two so appointed, who shall, under oath or affirmation, appraise the animal or animals, taking into consideration their actual value and condition at the time of appraisement, and such appraised price shall be paid in the same manner as other expenses under this act are provided for: *Provided,* That under such appraisement not more than \$25 shall be paid for any infected animal of grade or common stock, and not more than \$50 for any infected animal of registered stock, nor more than \$40 for any horse or mule of common or grade stock, and not to exceed 50 per cent of the appraised value of any standard-bred, registered or imported horses.

SECTION 4. That the board or any member thereof, or any of their duly authorized agents, shall at all times have the right to enter any premises, farms, fields, pens, abattoirs, slaughterhouses, buildings, cars, or vessels where any domestic animal is at the time quartered, or wherever the carcass of one may be, for the purpose of examining it in any way that may be deemed necessary to determine whether they are or were the subjects of any contagious or infectious diseases.

SECTION 5. That any person or persons wilfully violating any of the provisions of this act or any regulation of the State Live Stock Sanitary Board, or wilfully interfering with officers appointed under this act, shall be deemed guilty of misdemeanor, and shall, upon conviction, be punished by a fine of not exceeding \$100 or by imprisonment not exceeding one month, or both, at the discretion of the court.

SECTION 6. That the State Live Stock Sanitary Board is hereby empowered to appoint and employ such assistants and agents and to purchase such supplies and materials as may be necessary in carrying out the provisions of this act, and the board and the members thereof are hereby empowered to administer oaths or affirmations to the appraisers appointed under this act, that they may order and conduct such examination into the condition of the live stock of the State in relation to contagious diseases, including the milk supplies of cities, towns, boroughs, and villages, as may seem necessary, and to take proper measures to protect such milk supplies from contamination.

SECTION 7. That all necessary expenses under the provisions of this act shall, after approval in writing by the Governor and the Secretary of Agriculture, be paid by the State Treasurer upon the warrant of the Auditor-General in the manner now provided by law.

SECTION 8. That this act shall take effect June 1, 1895, and all acts or parts of acts inconsistent herewith are hereby repealed.

It will be seen that under this law the State Live Stock Sanitary Board is established and is required and authorized to take such measures as may be necessary

to suppress or eradicate dangerous, contagious, or infectious diseases. It is well that the precise methods to be followed in dealing with tuberculosis are not inflexibly established by enactment of the Legislature, because as knowledge of this subject is acquired and as experience accumulates methods must change. Hence if the State is to have the advantage at all times of the best methods, it is necessary that the executive body should be able to change its plans and rules as improved methods are developed.

The membership of the Pennsylvania State Live Stock Sanitary Board was not completed until January, 1896. Hence its work dates only from that time and the time the law was approved by the Governor.

When it became necessary to formulate a plan for dealing with tuberculosis of cattle, considerable difficulty was encountered and many somewhat conflicting conditions and circumstances had to be taken into consideration. While a larger number of herd owners had at that time succeeded in eradicating tuberculosis from their herds by the voluntary enforcement of well-advised measures, the public work that had been carried out in relation to tuberculosis was by no means promising or satisfactory. In some States the matter had been taken hold of in such an abrupt and radical way that the property rights of herd owners had been interfered with, and much opposition had arisen to all measures directed against tuberculosis. In other States the authorities seemed to be feeling their way; they would isolate or kill a few tubercular cattle here and there apparently without definite plan or object. Such work had some educational value, because attention having once been drawn to tuberculosis and interest aroused in the subject, it was easier to take more effective measures later on.

It was in the beginning realized by the State Live Stock Sanitary Board that tuberculosis was exceedingly prevalent in some parts of the State; that in some counties in which the dairy industry had reached its highest development a considerable proportion of the herds were infected. It was realized, also, that information in regard to tuberculosis had not been available to herd owners for more than a short time, and that many of the statements in regard to the disease that had been made were from a prejudiced standpoint and were misleading. Moreover, it was believed that there was no justification for the expenditure of State funds in the work of suppressing tuberculosis, excepting under some method that promised to give results that would be reasonably permanent.

An arrangement that was desired by a number of herd owners was that the Live Stock Sanitary Board should authorize payment for cattle in the advance stages of tuberculosis, and pay no attention to the other members of the herd or the sanitary conditions under which they were kept. A large number of letters was received in which such assistance was asked. If these requests had been acceded to, a number of animals badly afflicted with tuberculosis would have been destroyed and their owners would have received indemnity for their losses. Nothing would have been done, however, in the way of checking the progress of disease in the herd. The other members of the herd that had been exposed to advanced cases of tuberculosis, and some of which were probably infected, and the bad sanitary conditions, would not have received attention. In the course of a few weeks or months another request would have been received from the same herd owner, asking that another cow should be taken over by the State and paid for. A little later another similar request would be received from the same source, and so on indefinitely. To have adopted this plan would have meant the transformation of a work that was intended to have permanent sanitary value into a free live-stock insurance operation. The individual herd owners would be helped, because the loss occasioned by tuberculosis would have been taken, in part, at least, from their shoulders and placed upon the public treasury. The public, however, would derive little or no benefit from such a plan.

Another plan that suggested itself was to endeavor to examine all of the cattle in the State in the attempt to discover and remove all tubercular animals. This



plan, however, was not considered seriously for several reasons, and particularly on account of the enormous expense that would have been necessary if it had been put into operation. When it is remembered that this method was tried in Massachusetts, a State having about one-fifth the area and about one-fifth as many cattle as Pennsylvania, and that expenditures under it amounted from \$200,000 to \$250,000 per year, and that even with this enormous expenditure only a small part of that State was covered in this systematic way, the difficulties will at once be apparent.

Since it was not possible to systematically examine all of the cattle in the State, why not examine all of the cattle in the districts in which tuberculosis is known to prevail most extensively? If this were done it was thought that the effect would be to cause dissatisfaction, first, among the owners of healthy herds in such districts who did not need or care to have their cattle examined, and, second, among the owners of tubercular herds in other districts who could not have their cattle examined because the resources of the board were being consumed in the examination of the herds in certain restricted localities.

A number of farmers in different parts of Pennsylvania had taken up the matter of tuberculosis and had themselves done what they could to eradicate it from their herds before the State Live Stock Sanitary Board was established, and it was apparent that there were many herd owners who desired to place their herds on a healthy basis if they were given some encouragement or assistance from the State. Experience everywhere had shown that it was very difficult for a State to check the progress of this disease and to obtain permanent results without the earnest cooperation of the herd owners. So many false and misleading statements in regard to tuberculosis had been published that there was in some quarters a widespread apprehension in regard to the true nature and import of this disease. It seemed evident that with a knowledge of the facts on this question many more farmers desire to eradicate this scourge from their herds.

The importance of at once disposing of advanced and udder cases was not lost sight of, but it was deemed important that this should be done in some way that should not discourage the complete eradication of tuberculosis in the herds of which such animals were members. In formulating a plan of operation, an attempt was made to develop one with which the cattle owners would be in thorough accord.

With the above facts and the knowledge of the above conditions in mind, the plan of operation that was adopted by the Live Stock Sanitary Board in 1896 and that has since been developed on that foundation consists in the following: Circulars are distributed in regard to tuberculosis, the nature, character, and importance of the disease; its method of propagation; its results and the methods that may be adopted to combat it. A good deal of the information contained in these circulars has been made use of by various agricultural papers and has thus been given increased publicity. At this time there is a pretty general realization in all parts of Pennsylvania of the leading facts in this matter.

Herd owners who have wished to suppress tuberculosis in their herds have been assisted by the State Live Stock Sanitary Board under a definite plan of cooperation. According to this plan the herd owner is required to fill out and sign an application form and agreement as below:

#### FORM A.

*Request for inspection and tuberculin test of herd at the expense of the State Live Stock Sanitary Board.*

— — — — —, 190—.

*To the State Live Stock Sanitary Board, Harrisburg, Pennsylvania.*

GENTLEMEN: I have reasons to believe that some of my cattle are afflicted with tuberculosis, and I wish to have my entire herd inspected and tested with tuberculin, if such test is deemed necessary by your representative, and the diseased

animals disposed of according to rules and regulations of the State Live Stock Sanitary Board.

I understand that this inspection and test are to be made at the expense of the Commonwealth, and, in consideration thereof, I agree to thereafter observe the precautions and measures and to employ the means recommended by your board to prevent the reintroduction and redevelopment of tuberculosis in my herd.

I certify that, to the best of my knowledge and belief, none of the dairy cows or cattle for breeding purposes in my herd have been brought from another State into Pennsylvania since January 1, 1898, without having been subjected to inspection and tuberculin test, as required by law.

Yours, respectfully,

(Address) \_\_\_\_\_, \_\_\_\_\_ County, Pa.

My herd includes the following animals: Cows, \_\_\_\_\_; heifers over one year old, \_\_\_\_\_; bulls over one year old, \_\_\_\_\_; steers, \_\_\_\_\_; calves under one year old, \_\_\_\_\_; total, \_\_\_\_\_. The milk from this herd is used by \_\_\_\_\_ for \_\_\_\_\_.

The cattle are \_\_\_\_\_ (state breed and whether registered).

The following are my reasons for believing that some of my cattle are afflicted with tuberculosis: \_\_\_\_\_.

The herd owner is at the same time informed that the inspection will be made only in accordance with the following conditions:

Upon application from owners of tubercular cattle the State Live Stock Sanitary Board will furnish tuberculin and inspections free on condition that the cattle owner will agree to—

1. Assist in the examination.
2. Separate the cattle found to be tubercular from those that are healthy and have them cared for separately until disposed of, as directed by the State Live Stock Sanitary Board.
3. Disinfect the stables and correct faulty sanitary conditions, as directed by the State Live Stock Sanitary Board.
4. Discontinue the use of milk and cream from infected cows, except when boiled or heated to 185° F. and kept at this temperature for five minutes.

Upon application from owners of dairy herds not known to be infected the State Live Stock Sanitary Board will conduct or direct inspections of cattle and cattle stables and yards, and will furnish certificates showing the health of the animals and the sanitary condition of their surroundings: *Provided*, That the applicant will agree to bear the necessary expense of such inspections.

Since it is manifestly impossible for the State Live Stock Sanitary Board to investigate all rumors or unsubstantiated reports of contagious diseases among domestic animals, the State Veterinarian may, if in his opinion there exists a reasonable doubt as to the dangerous, contagious, or infectious character of a reported disease, request the owner or person in charge of the stock, at his own expense, to have an examination made by a competent veterinarian, and furnish a report from such veterinarian to the Secretary of the Board. In case this request is not complied with the Board may decline to consider the case.

After the inspection thus asked for has been made by an inspector selected and paid by the State Live Stock Sanitary Board the cattle that show physical evidence of tuberculosis may be at once appraised and destroyed, the appraisement being made, as required by law, with due regard to the actual value and condition of the animal at time of appraisement. The limit of appraisement for unregistered cattle is \$25 and for registered cattle \$50. Anything that may be obtained from sale of the hide or of the carcass to a fertilizer manufacturer the owner receives in addition to the appraisement. The members of the herd that do not show physical signs of tuberculosis, but react to the tuberculin test, may be disposed of in the same way as the animals that show physical evidence of tuberculosis, or, if the owner prefers to keep them alive under prescribed conditions, he is permitted to do so. If the reacting animals are kept, they must be maintained entirely apart from nonreacting cattle. They must be stabled and pastured separately. The owner is not permitted to sell them, nor is he permitted to dispose of or use their milk without previous sterilization by boiling or by heating to 185° F. for ten minutes. The progeny of such reacting cows must be removed immediately after birth and reared on the milk of healthy cows or on heated milk from reacting cows. In other words, if the owner prefers to keep his reacting animals alive, he is per-

mitted to do so under regulations similar to those that Bang formulated and that have proven so satisfactory and safe in Denmark.

It should interest those who have so strongly advocated the adoption in this country of the Danish method of suppression of tuberculosis to know that this method in its entirety has been offered to the farmers of Pennsylvania for four years and that very few have cared to avail themselves of it. This is not because they do not wish to suppress tuberculosis, because a great many farmers have had their herds examined and have willingly sacrificed their reacting cows and have accepted the indemnity offered by the State, which is considerably less than real value of the animals; and this method has been accepted in preference to the Danish method. The reason for this selection is not hard to find.

When a Pennsylvania farmer discovers that he has tuberculosis in his herd and resolves to get rid of it he wishes the whole thing accomplished and off his mind as soon as possible. He does not care to maintain two herds, one healthy and one reacting, and provide separate stable accommodations and separate pastures for them. He does not care to do this because the proper enforcement of this method means a considerable amount of extra work and because there is no market, or a very restricted market, for milk that has been heated. If butter is made on the farm it is possible to adopt this system with a minimum of trouble and loss; but if the milk is sent to a creamery, the creamery will not care to heat it as is necessary and more than likely would refuse to take it. Hence the herd owner almost invariably concludes that it is best to accept the indemnity offered by the State and eradicate the disease at once.

Perhaps, in view of the extent to which tuberculosis of cattle in Pennsylvania prevails, the plan that has been chosen by the farmers of this State is, after all, the best and most economical. If, however, tuberculosis were from ten to fifteen times as prevalent as it is—that is to say, if it were as prevalent in Pennsylvania as it is in Denmark and in parts of Germany—the plan that is followed in Pennsylvania would not be feasible, because to do the amount of work that is now being done would require from ten to fifteen times as much money or, with funds now available, the work would have to be restricted to from one-fifteenth to one-tenth of its present proportions.

So many applications for herd tests are made that it is not possible to respond to all of them. For this reason each herd owner is required to submit his reasons for believing that his herd is infected with tuberculosis, and an attempt is constantly made to confine the inspections to the herds that are most likely to harbor diseased animals. Where an inspection of a herd is desired merely for the purpose of obtaining information as to its condition and, in the event that it proves to be free from tuberculosis, a certificate of health, the owner is required to pay for the examination. Tuberculin is furnished free of charge by the State Live Stock Sanitary Board for this use. When such a certificate is desired the following form of application is used:

FORM B.

*Request for inspection at expense of owner.*

\_\_\_\_\_, 190—.

*To the Live Stock Sanitary Board, Harrisburg, Pennsylvania.*

GENTLEMEN: I wish to obtain from you a certificate showing the health of my herd and the sanitary condition of the surroundings in accordance with your rule providing that such certificate can be granted in cases in which herds are examined under your supervision at the expense of the owners of the cattle. I desire this inspection to include a test with tuberculin.

My herd includes the following animals: Cows, —; heifers over one year old, —; bulls over one year old, —; steers, —; calves under one year old, —; total —. It is located on the premises of \_\_\_\_\_ in \_\_\_\_\_, \_\_\_\_\_ County, Pa.

The milk from this herd is used by \_\_\_\_\_ for \_\_\_\_\_.

I hereby agree to pay to the representative of the Board who makes this inspection his reasonable and just charge for such service.

Yours, respectfully,

(Address) \_\_\_\_\_, \_\_\_\_\_ County.

The form of certificate now in use is as follows:

*Certificate of inspection and tuberculin test.*

This is to certify, that the herd of Mr. \_\_\_\_\_, of \_\_\_\_\_ post-office, \_\_\_\_\_ County, Pa., consisting of the following animals: \_\_\_\_\_ was subjected to a physical examination and to the tuberculin test on the \_\_\_\_\_ day of \_\_\_\_\_, 190—, by \_\_\_\_\_ of \_\_\_\_\_, acting for the State Live Stock Sanitary Board, and the said animals were found to be free from all evidence of tuberculosis or other transmissible disease, with \_\_\_\_\_ exception: \_\_\_\_\_; and further, that the stables and yards in which these animals are kept were in good sanitary condition.  
\_\_\_\_\_, State Veterinarian.

If it should be found in an inspection at the expense of the owner that the herd contains cattle afflicted with tuberculosis, these may be disposed of just as they are when the inspection is made at the expense of the State, if the owner will sign the form of agreement printed below:

FORM C.

\_\_\_\_\_, \_\_\_\_\_, 190—.

*To the State Live Stock Sanitary Board, Harrisburg, Pennsylvania.*

GENTLEMEN: I have had my entire herd inspected and tested with tuberculin and have reasons to believe that some of my cattle are affected with tuberculosis.

I have had this inspection and test made at my own expense and now wish to dispose of the diseased animals in accordance with the rules and regulations of the State Live Stock Sanitary Board and to avail myself of the assistance afforded by the Commonwealth in such cases. If such assistance is furnished, I agree to thereafter observe the precautions and measures and to employ the means recommended by your board to prevent the reintroduction and redevelopment of tuberculosis in my herd.

My herd includes the following animals: Cows \_\_\_\_\_, heifers over one year old \_\_\_\_\_, bulls over one year old \_\_\_\_\_, steers \_\_\_\_\_, calves under one year old \_\_\_\_\_; total \_\_\_\_\_. The milk from this herd is use by \_\_\_\_\_ for \_\_\_\_\_.

The cattle are \_\_\_\_\_. (State breed and whether registered.)

The inspection and test were made by \_\_\_\_\_ of \_\_\_\_\_ on \_\_\_\_\_, 190—.

I certify that, to the best of my knowledge and belief, none of the dairy cows or cattle for breeding purposes in my herd have been brought from another State into Pennsylvania since January 1, 1898, without having been subjected to inspection and tuberculin test as required by law.

Yours, respectfully,

(Address) \_\_\_\_\_, \_\_\_\_\_ County, Pa.

All of these inspections that have been referred to thus far are voluntary on the part of the owner and are not made excepting upon his application and evidence that there is good reason to believe that the herd is actually infected. The question now arises as to whether this method is sufficiently far reaching; that is, whether it insures the inspection of all herds that should be inspected and the removal of all tubercular animals that should be removed. While this is an important question, its value is somewhat lessened by the fact that the State Live Stock Sanitary Board is doing all of the work it can do with the funds at its disposal, so if more herds were reported for inspection this would mean that a corresponding number of other herds reported for inspection would have to be kept waiting. As a matter of fact, the method that is now in operation is gradually but surely reaching and clearing up the worst infected and the most dangerous herds in the State. Usually the owners of such herds are led to appeal to the State by two motives: First, through fear that tuberculosis may be distributed by the products of their herd, and, second, through a desire to escape the unceasing losses

caused by the ravages of tuberculosis among their cattle. If these motives are not sufficient to cause an inspection to be applied for, the herd owner is, if his herd is badly infected, usually impelled to seek the aid of the State Live Stock Sanitary Board when he finds that his animals and his dairy products do not find a ready market and that his neighbors frown upon the maintenance of a notoriously tubercular herd in their community.

After the tubercular animals are removed from the herd, it is in all cases required that the premises shall be well disinfected and in accordance with the following rules for disinfection given in Circular No. 2:

#### DIRECTIONS FOR DISINFECTING STABLES.

Disinfection as it is usually practiced is misleading and worthless. Disinfection is carried out for the purpose of destroying disease-producing germs, and to be effectual all of these germs must be destroyed. Disease germs are minute living bodies; they float in the atmosphere, are carried by water, food, manure, and, in fact, by anything that has been in the vicinity of an animal suffering with a contagious disease.

The germs of some diseases are very delicate and, after leaving the body of an afflicted animal, die within a short time, and in these cases it is not possible for them to spread very far. In other diseases, however, the germs are exceedingly resistant organisms; they can endure extreme heat and extreme cold; they can live outside of the body for days or week, in some cases for months, and even years.

Most of the disease-producing germs do not multiply outside of the body, but a few of them do, and these can be propagated, under favorable conditions, almost indefinitely.

Since these organisms are so minute and can be carried about in the air as dust, they may lodge in the smallest and most remote portions of the stable and in places most difficult of access. Hence, it is very evident that the usual so-called disinfection, which consists in scattering a strong-smelling substance about, can not be efficient. When the disinfectant (an agent used to destroy disease-producing germs) is scattered carelessly about on the floor of a stable it may not cover more than but one-hundredth of the area upon which the germs are lodged; so that, in this case, but 1 per cent of the stable is disinfected. Disinfectants can not destroy germs that they do not come in contact with; and if but part of the germs are destroyed and the others are allowed to remain the results of the whole operation will be disappointing.

Rules for disinfection follow:

1. Permit the entrance of a plentiful amount of light. Disease-producing germs are destroyed by the direct rays of the sun within a short time. They are destroyed by less intense light more slowly, but will live for long periods in dark places. So that one of the cheapest and best disinfectants is sunlight. There are numerous other advantages in having plenty of light in a cow stable that is not necessary to mention here.

2. Cleanse the stable thoroughly. It has been stated already that disinfectants do not destroy germs that they do not come in contact with, and in order to permit the disinfectants used subsequently to come in contact with all the surfaces that may harbor disease-producing germs it is necessary that these surfaces should be uncovered by the removal of dirt that has accumulated over them.

The cleansing of the stable includes (a) removal of manure; (b) removal of piles of fodder; (c) sweeping the ceiling, walls, and floor; (d) the removal of rotten woodwork and loose boards, especially of the floor; (e) the removal of dried accumulations about mangers, floors, and drains; (f) scrubbing the mangers, feed boxes, stall, and partitions, which should be done with hot water and strong soap, lye, or washing soda.

3. Apply chemical disinfectants. After the stable has been treated as above recommended, it is ready for the application of chemical disinfectants. These are substances that poison disease-producing germs. Some of them are far more efficient than others. One of the most active is bichloride of mercury or corrosive sublimate. This substance is poisonous and must be used with great care. Before it is applied it must be dissolved in water in the proportion of one part to one thousand. One ounce of corrosive sublimate dissolved in eight gallons of water makes a solution of the right strength. In making the solution the corrosive sublimate should be dissolved in one gallon of hot water and then mixed with enough cold water to make eight gallons. This liquid can be applied with a brush, sprinkling pot, or spray pump, and must be carried into every crevice or recess into which dust can enter.

Another disinfectant that is good, but less efficient than the above, is chloride of lime, of which one pound should be dissolved in three gallons of water and applied in the same way. Carbolic acid mixed with water in the proportion of one to twenty parts, or pint to two and one-half gallons of water is also efficient, and should be applied in the same manner as bichloride of mercury solution.

Sulphate of iron, commonly known as copperas, makes an excellent and cheap disinfectant for floors, gutters, drains, etc. It should be applied as a saturated solution. As much sulphate of iron should be dissolved in the water as possible, and this solution should be applied very freely with a sprinkling can to the places that are to be disinfected with it. It is not poisonous, and when applied in large quantities is a good disinfectant. It is also of great utility in disinfecting mangers, feed boxes, etc., on account of its nonpoisonous properties.

4. Whitewash. Although whitewash is not an active disinfectant, in the usual meaning of this term, it is an excellent purifier, and should in all cases be used in stables after they have been thoroughly cleaned and disinfected with other agents. If chloride of lime is added to whitewash in the proportion of one pound to three gallons of water, the value of this application is greatly increased. It is advisable to whitewash cow stables frequently, at least once in six months, and better once every three months. Hot whitewash for this purpose is better than cold.

5. Allow the stable to remain perfectly empty, if possible, for several weeks. Of course, this can not be done in all cases, but where it is possible it is well to allow a greater opportunity for the death of disease-producing germs that may have escaped the disinfectant applications.

There are some badly constructed stables that it is almost impossible to disinfect, because cisterns, wells, cesspools, foot-cellars, spaces in the walls, floors, etc., can not be reached properly. In these cases it is sometimes necessary to vacate the premises for a long period, or, if they have but little value, burn them down. Where the floor of the stable is made of earth it is well to dig it out to a depth of about six inches and refill the excavation with fresh earth.

The litter, old woodwork, etc., removed from infected stables should be burned.

LEONARD PEARSON, *State Veterinarian.*

After a herd has been inspected, it is reinspected within a year if it is found to be badly infected upon the first inspection, and, if necessary, a third, or even fourth inspection will be made. The precautions and measures that the owner agrees to observe, after the inspection has been made at the expense of the State, are the following:

#### CIRCULAR No. 3.

#### *Precautions and measures to be observed to prevent the reintroduction and redevelopment of tuberculosis in inspected herds.*

After the herd has been inspected and tested with tuberculin and the tubercular animals disposed of in accordance with the rules and regulations of the State Live Stock Sanitary Board, the premises occupied by the diseased animals must be very thoroughly disinfected in accordance with the directions in Circular No. 2 of this board. It is assumed that cattle passed by the inspector—the cattle that show no physical signs of tuberculosis and do not respond to the tuberculin test—are free from tuberculosis, and if they are protected from all sources of infection they will remain free from this disease.

The three principal ways in which tuberculosis is carried into the body are:

- A. With the air.
- B. With the food or water.
- C. Through the skin or mucous membrane.

All of these sources of infection should be guarded against most carefully, and in order that they may be avoided the following measures are recommended:

1. The cattle should be watched very closely and upon the first indication of tuberculosis the suspected animal should be removed from the herd and placed where its products and the things that have been in its immediate vicinity can not come in contact with healthy animals, and the place occupied by it in the stable should be disinfected.

2. It is well to subject the entire herd to the tuberculin test six to twelve months after the first inspection, and if it should be found that an infected animal or a source of infection had escaped the first infection and disinfection, the condition could in this way be recognized before extensive injury had resulted.

3. Additions to the herd should be purchased subject to one of the following

conditions: (a) A report from a competent veterinarian showing that the animal has been tested with tuberculin and found to be free from tuberculosis a short time before the sale, or (b) full information covering the herd from which the animal is procured. In the latter case, it should be known that the herd has never been infected with tuberculosis, or that its members have been inspected with tuberculin and found free from disease.

Freedom from tuberculosis is indicated, but not proven, by a general thrifty appearance, good flesh, bright coat, and bright eye, temperament, and absence of cough. If animal has been well fed, but is found in an unthrifty condition, it is suspicious. Cattle from unknown sources should not be purchased without a guarantee that they are healthy, and since it is absolutely impossible for anyone, however experienced or wise, to discover a large percentage of cases of tuberculosis without the tuberculin test, notwithstanding the fact that many of them may be in condition which renders them dangerous to their associates, the guarantee of health should be based on accurate and reliable information, as indicated above.

4. The cow stable should be well lighted. Many stables are deficient in this respect, and, as it is a serious matter, it should be remedied. The value of light lies in the fact that it restricts activity of and destroys disease-producing germs, and it exposes dirt. Moreover, cows kept in a dark place usually become unthrifty and do not have such a high degree of resistance to disease as is possessed by those kept in the light. Dark stables are apt to be damp also. Thus it is seen that the value of light is manifold and windows should be abundant.

5. The stables should be kept clean. Manure, litter, and dirt must not be allowed to accumulate, because these collections furnish places for the preservation and growth of disease germs and also serve to contaminate the atmosphere by the odors and gases which they emit.

The stable should be kept dry. The fluid evacuations should be absorbed with dry litter or should be drained into a receptacle outside of the stable. If the walls are damp, measures should be taken to correct the fault, because a damp wall leads to an unwholesome degree of moisture of the atmosphere, furnishes a favorable surface for the preservation and growth of germs, leads to contamination of the air with their products, and favors chilling. Sometimes it is necessary to dig the earth away from the wall outside of the stable, and it may be necessary to build a retaining wall a short distance from the stable wall in order to keep the earth back and allow a space for the free circulation of air. Damp walls are sometimes caused by leaky roofs or too short overhangs.

7. The air in the stable must be kept pure. The observance of all the measures recommended above will greatly influence this factor, but as air is constantly being used by the animals in the stable it is necessary to provide for ample ventilation for a renewal of the supply. The arrangements for ventilating should be so planned that air may be introduced in sufficient quantity, but not as a draft that will come in contact with any animals. This subject is discussed more fully in the State Veterinarian for 1896.

8. Cleanse the stable with especial care and whitewash it at least once in six months.

9. Do not feed skim milk from creameries to calves without previous sterilization by boiling. This is essential, for many cases have been recorded, and several have come to the personal experience of the State Veterinarian, in which a tuberculous herd supplying milk to a creamery, with a large number of patrons who used the skim milk as food for calves and pigs, caused the development of tuberculosis on a number of farms in the vicinity.

10. Do not purchase or use fodder that has been stored above a stable occupied by tubercular cattle. The germs of tuberculosis float in the air as dust and become mixed with fodder stored within their reach, rendering it dangerous to feed it to cattle.

11. Healthy cattle should not be allowed to drink from a watering trough habitually used by tubercular cattle, nor should they be allowed to associate with them in the pasture or elsewhere.

12. The offspring of tuberculous parents should not be allowed to mix with the herd until they have been tested with tuberculin and free from disease.

13. The bull should be perfectly healthy and should not be patronized if he has been in a tuberculous herd, unless his freedom from tuberculosis has been proven by the application of the tuberculin test.

14. It is not well to allow a consumptive to work about cattle or in the dairy, in any capacity.

LEONARD PEARSON, *State Veterinarian.*

All animals afflicted with advanced or udder tuberculosis are required by the regulations of the State Live Stock Sanitary Board to be placed in quarantine, and the milk from such animals is not permitted to be sold or used. A clause in the Pure Food Law also prohibits the sale of milk from diseased cows and provides a penalty for so doing. After advanced and udder cases of tuberculosis are placed in quarantine, they may be appraised and destroyed at the expense of the State if the owner of the herd has signed an application for the inspection of his entire herd. The appraisal and destruction of these cows may be carried out without waiting for the inspection of the remaining portion of the herd, because such animals are prolific distributors of disease germs and they should be gotten rid of as soon as possible and the premises occupied by them disinfected. If the owner of such animals has not and will not apply for an inspection of his entire herd, the animals of the class described are held in strict quarantine until they are disposed of at the loss of the owner, or until the inspection of the herd is applied for and the accompanying agreement is signed. In appraising such animals their actual value and condition at the time of appraisement must be taken into consideration, and it is usually deemed that they have lost all value excepting for fertilizing purposes, so that the amount of appraisement is nominal.

The only compulsory use of tuberculin in Pennsylvania is in the inspection of dairy cows and cattle for breeding purposes coming from other States. Inspection of these animals is required by the act of May 25, 1897. This act and rules for enforcing it follow:

#### LAW.

AN ACT to protect the health of the animals of the Commonwealth of Pennsylvania. (Approved May 26, 1897.)

SECTION 1. *Be it enacted, etc.,* That the importance of dairy cows and neat cattle for breeding purposes into the Commonwealth of Pennsylvania is hereby prohibited excepting when such cows and neat cattle are accompanied by a certificate from an inspector whose competency and reliability are certified to by the authorities charged with the control of the disease of domestic animals in the State from whence the cattle came, certifying that they have been examined and subjected to the tuberculin test and are free from disease.

SEC. 2. That in lieu of an inspection certificate as above required, the cattle may be detained at suitable stock yards nearest to the State line on the railroad over which they are shipped, and there examined at the expense of the owner, or cattle as above specified from points outside of the State may, under such restrictions as may be provided by the State Live Stock Sanitary Board, be shipped in quarantine to their destination in Pennsylvania, there to remain in quarantine until properly examined at the expense of the owner, and released by the State Live Stock Sanitary Board.

SEC. 3. The State Live Stock Sanitary Board is hereby authorized and empowered to prohibit the importation of domestic animals into the Commonwealth of Pennsylvania, whenever in their judgment such measures may be necessary for the proper protection of the health of the domestic animals of the Commonwealth, and to make and enforce rules and regulations governing such traffic as may from time to time be required.

SEC. 4. That any person, firm, or corporate body violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall, in the proper court of the county in which such cattle are sold, offered for sale, delivered to a purchaser, or in which such cattle may be detained in transit, for each offense forfeit and pay a fine of not less than \$50 or more than \$100, or be punished by imprisonment for not less than ten days, and not exceeding thirty days, either or both, at the discretion of the court. Such person, firm, or corporate body shall be liable for full amount of damages that may result from the violation of this act.

SEC. 5. The State Live Stock Sanitary Board is hereby charged with enforcement of this act, and is authorized to see that its provisions are obeyed, and to make, from time to time, such rules and regulations as may be necessary and proper for its enforcement.

SEC. 6. That this act shall go into effect January 1, 1898.



## RULES FOR THE ENFORCEMENT OF THE ACT OF MAY 26, 1897.

Dairy cows and neat cattle for breeding purposes may be brought into Pennsylvania from other States only in accordance with one of the three following provisions:

1. The cattle may be examined and tested with tuberculin in the State from whence they come by an inspector whose competency and reliability are certified to by the authorities charged with the control of the disease of animals in that State. Special blanks for reporting upon such examinations will be furnished by the State Live Stock Sanitary Board upon application. Cattle thus examined, found to be free from disease and brought into Pennsylvania, shall remain in the possession of the person or persons who own them when brought into Pennsylvania until the inspection reports have been approved by a member of the State Live Stock Sanitary Board or by an agent authorized to approve such reports. After such approval the cattle can be disposed of without restriction.

2. Dairy cows and neat cattle for breeding purposes may, if shippers so elect, be examined and tested with tuberculin at suitable stock yards nearest to the State line on the railroad over which they are shipped. Such examinations are to be made by inspectors approved by this board and at the expense of the owner of the cattle.

Cattle so inspected shall be marked with a suitable metal tag or shall be accurately described so that they can be reliably identified, and a report on the examination and test, with directions for identification, shall be submitted without delay to this board.

3. Dairy cows and neat cattle for breeding purposes may be brought into Pennsylvania without previous examination only under the following conditions:

A. Notification to the State Live Stock Sanitary Board that it is proposed to bring certain dairy cows or neat cattle for breeding purposes into this State. Such notice must be accompanied by the number and a full and accurate description of the cattle, the names and addresses of the owner and consignee, the date upon which they are to be brought into the State, the route over which they are to be driven or shipped, and the destination.

A blank form to use in rendering this report will be sent upon application to the State Live Stock Sanitary Board.

B. Such cattle shall remain in strict quarantine during transit and after they have arrived at their destination, until they have been examined and tested with tuberculin by an inspector approved by this board. Under this quarantine it is required that the cattle shall be kept apart from other cattle; that they shall remain in the possession of the person or persons who bring them into this State, and that their milk shall not be sold or used without previous sterilization by boiling.

Dairy cows or neat cattle for breeding purposes brought into Pennsylvania under this provision that are found upon examination or test to be tuberculous shall be strictly isolated and quarantined; their milk can not be used for any purpose whatever without previous sterilization by boiling, and they shall not be moved to other premises excepting for slaughter. No compensation shall be allowed for such cattle.

Approved by the State Live Stock Sanitary Board at Harrisburg, Pa., November 5, 1897.

It will be seen that these tests can be made outside of the State by an inspector approved as regards competency and reliability by the authorities charged with the control of the disease of animals in that State; or, if the owner prefers, the cattle may be detained at suitable stock yards in transit and tested there. Under this regulation about 2,500 cattle are annually tested at the stock yards at Pittsburg. Or, third, the cattle may be shipped on permit to their destination in Pennsylvania, and there examined with tuberculin by an inspector approved by the Live Stock Sanitary Board of this State, and paid by the owner of the cattle.

The form of permit used is the following:

## STATE LIVE STOCK SANITARY BOARD.

Record Book Number, —.

HARRISBURG, PA., —, 190—.

This will permit Mr. — to ship — cattle (dairy cows or cattle for breeding purposes) from — to —, Pennsylvania, without examination until arrival at destination. These cattle will remain in quarantine until arrival

at destination and test with tuberculin by \_\_\_\_\_, who is authorized to release them if found free from disease. This permit will expire \_\_\_\_\_, 190—, and is not valid until a description of each animal in the lot is written below.

This permit is to be taken up by said inspector and returned to the Secretary of the State Live Stock Sanitary Board.

\_\_\_\_\_,  
State Veterinarian.

The following is to be filled in and signed by the shipper:

Animal (cow, bull, heifer, calf).	Breed.	Age (approximate).	Color and markings.	Ear tag number (if any).
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-----	-----	-----	-----	-----
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(Shipper signs here) \_\_\_\_\_,  
(Address) \_\_\_\_\_.

Tuberculin for all of these tests is furnished without charge by the board, but the inspectors are, in all cases, compensated by the shipper or owner of the cattle. This law has been in operation but two years, and under it 35,437 cattle have been examined. A considerable proportion of these have been examined before shipment into Pennsylvania. Of those shipped into Pennsylvania and examined at their destination, 238 were condemned. After two years' experience with this law cattle shippers have been able to gain a good deal of information as to where tuberculosis is a prevalent disease, and such localities are now avoided by them. Therefore, the cattle shipped into Pennsylvania at the present time are more carefully selected than ever before, both as to the locality from which they originate and as to their individuality.

The need for this inspection requirement is indicated by the fact that tuberculosis is most prevalent in those parts of Pennsylvania into which the greatest number of cattle are shipped. The fact that large numbers of animals have been brought into these sections means that there has been much opportunity for contamination, and it is evident from the statistics of inspections made in such localities that a large amount of contamination has actually occurred. The cattle in the cattle-producing districts of Pennsylvania, the localities from which cattle are sent out and few are brought in are comparatively free from tuberculosis. By means of this law it is possible for farmers who have eradicated tuberculosis from their herds to restock with animals they know to be in health.

The danger to which purchasers are exposed where they are without the protection afforded by this law is indicated by the fact that cattle dealers in other States have repeatedly endeavored to purchase from farmers in Pennsylvania animals that have been condemned as tubercular. They said that they could readily take them to States without a law requiring the inspection of coming cattle and there dispose of them. The writer has personal knowledge of a number of herds in an adjoining State that have been freed from tuberculosis by selling the tubercular animals. Members of such herds have many times been prevented from coming into Pennsylvania by the application of this inspection law. Indeed, it is a common and well-known practice of certain breeders to sell tubercular animals that they are afraid to keep in their own herds. Complete evidence to support this statement is available. Several large herds have been sold recently because they were so permeated with tuberculosis that they could no longer be maintained profitably.

The danger of infection from such outside sources was first appreciated by the New England States. At this time, however, the appreciation of the danger is general, and the tuberculin test is required to be applied to cattle imported into

the United States from Europe and Canada, to cattle imported by Canada from Europe and the United States, and is also required by seventeen separate States of this country.

In Europe almost every country has this requirement except Great Britain, where foreign cattle are absolutely excluded, excepting those that are killed on landing docks within six days after arrival.

The field work of the State Live Stock Sanitary Board is under the supervision of the State Veterinarian, and is carried out by him with the aid of veterinary practitioners of the State, who are employed for special work as their services are required. For herd tests veterinarians are compensated at the rate of \$5 per day, and proportionate sums for parts thereof. As this rate of compensation is low, it has in some cases been difficult to secure the services of the best veterinarians. It is, however, a rule to which there are few exceptions that the veterinarians of the State take a patriotic view of the matter, and are willing to give the State the benefit of their best skill. It is thought that there has been advantage in having inspections made by veterinarians residing and practicing in the immediate locality. By engaging the services of such veterinarians in this work they become thoroughly familiar with and are interested in the suppression of tuberculosis in the herds in their community, and if the herd owner has reasons subsequently to fear that something is wrong with his cattle he is able, without going far, to consult an expert who is thoroughly familiar with the conditions surrounding the case. Moreover, after a veterinarian has eradicated tuberculosis from a herd so far as possible, he is likely to be interested in the maintenance of the health of that herd, and will be able to do more for it if near by than would be possible at a greater distance.

Another fact that is believed to have had a favorable influence on the progress of the work directed against tuberculosis in Pennsylvania is the manner in which the postmortem examinations have been made. It has been stated above that nearly all owners of tubercular cattle have desired to accept the indemnity offered by the State and have the cattle destroyed. In some States it has been the practice to ship cattle to be killed to a city abattoir or rendering works, where they might be conveniently examined, and their carcasses used for making fertilizer. The amounts received for carcasses for this purpose are not great and if the animals must be shipped far nearly all of the income is taken up in freight charges. It is possible, however, to effect a small saving where full carloads can be shipped. This system has not been generally followed in Pennsylvania, because it was deemed important to restrict owners of animals in regard to tuberculosis, and to permit them to see postmortem examinations is a most effective way of imparting information in regard to the disease.

The statement has been made so often by persons not familiar with the facts in regard to tuberculosis, but who have not hesitated, nevertheless, to make the most positive statements, that an animal can not be extensively diseased without showing well-marked symptoms. In consequence of this, and as a result also of a most natural belief that an animal that looks well must be well, there were people everywhere who could not be convinced that an apparently sound animal, an animal in good flesh, with a good appetite, and giving a good flow of milk, could be tubercular to a material degree, even though it had responded to tuberculin test and even though other symptoms of tuberculosis could be detected by the discerning veterinarian. Where this view prevails, there is no way to teach the facts that must be impressed, if tuberculosis is to be eradicated by a State, other than to give ocular demonstrations. When a man has seen a herd of tubercular cattle alive and has seen them killed and witnessed the alterations produced by the disease, he is willing to admit that an animal can be tubercular to a dangerous degree without showing symptoms. Of course, this same information can be derived by the examination of animals killed for food. It is not an uncommon

thing in large abattoirs to find animals apparently in the pink of condition containing widespread and extensive lesions of tuberculosis. But this source of information is not generally available.

As a striking proof of the value of the information imparted in the manner just indicated, it may be said that the Live Stock Sanitary Board is applied to for the greatest number of inspections in districts in which the greatest number of demonstrations of this kind have been held. As an illustration of this, there is a community in one of the eastern counties of the State in which there were many farmers who were opposed to any inspection of herds for the purpose of repressing tuberculosis. They did not believe that the disease was prevalent enough to be of economic importance, and some of them claimed that it was of little or no importance from the standpoint of public health. No inspections were applied for in this district until, a few months ago, the owner of a herd of twelve cows had lost three of his animals by death from tuberculosis. He thereupon applied for an inspection of the remaining members of his herd, and much to his surprise all of the animals reacted to the test. It was arranged to have them appraised and killed. The matter excited a great deal of interest in the neighborhood, and as many as two hundred farmers came to see the postmortem examinations. They were so impressed with what they saw that a flood of applications for herd tests came to the Live Stock Sanitary Board from that neighborhood, and, as the inspections could not be made as rapidly as was desired, many cattle owners had their cattle tested at their own expense. This illustrates the fact that has been reiterated in this report, that the farmers of Pennsylvania want healthy herds. The farmer who knows that his herd is infected with tuberculosis and who does not apply to the State for assistance in checking the infection is the exception. Therefore what is needed is to bring the facts in regard to tuberculosis to the attention of cattle owners, and no more effective way of doing this has been devised than to make it possible for them to witness postmortem examinations on tubercular cattle.

Sometimes dairymen do not wish to have their tubercular animals utilized in this public way. They desire the slaughter to be conducted privately. Such requests are always observed. Where many animals are to be destroyed and where the facilities are poor, and especially during severe weather, it is most convenient to ship condemned cattle to a fertilizer establishment. The expense of shipment is in this case taken out of the amount paid for the cattle, and the balance is kept by the owner.

Another result of the recognition of the facts in regard to tuberculosis has been the lessening of the tendency that was so extremely prevalent to exaggerate or minimize the facts in regard to the disease. At one time it was very difficult to find articles or to hear discussions on this disease in which the dangers were not grossly exaggerated or the importance underestimated.

During the period of operation of the State Live Stock Sanitary Board 34,000 cattle have been examined and tested with tuberculin at the expense of the State, and of these 4,800 have been condemned, destroyed, and paid for. The payments amount to \$119,000. The cost of the inspections has been \$20,000, making a total expenditure of \$139,000 in four years. An attempt has always been made to select the most extensively diseased herds for inspection. During the first eighteen months of the work, that is up to June 1, 1897, 9,108 cattle were tested, and of these 1,839 were condemned. The percentage of tuberculosis, therefore, was 20.39. From June 1, 1897, to June 1, 1899, 16,687 cattle were examined and 2,116 were condemned, making the percentage of tuberculosis 12.67. The fact should not be lost sight of in this connection that these figures represent the percentage of infection among the most extensively infected herds in Pennsylvania. Since June, 1899, very few herds were examined where there was not strong reason to believe that they were infected, and, indeed, extensively infected, before the

inspection was made. At present a good many herds are being examined at the expense of their owners, and the tubercular animals are being taken over by the State. (Under the arrangement afforded by Application Form C.)

At least as many herds have been examined by their owners as have been examined by the State, and only a limited portion of the tubercular cattle found in these herds are appraised and paid for by the State. Some of them are no doubt sold to drovers and disposed of to other farmers, where they may have an opportunity to spread disease, and others are sold to butchers and turned into food for man. Still others are destroyed by their owners and no compensation is asked for. It should not be inferred that in these inspections made by private expense anything like as many tubercular cattle are found as in inspections made by the State, because the inspections made privately frequently—indeed, usually—reveal the entire herd to be free from infection.

The applications for herd tests are from two to four times as numerous as the inspections made by the State. Some applications are not accompanied by evidence that tuberculosis exists in the herds; others are accompanied by insufficient evidence. Applications are sifted very carefully, and as many inspections are made as can be paid for, and it is the constant endeavor to select for inspection herds that are most likely to contain diseased animals.

All of this shows that interest in tuberculosis and the desire to eradicate it from herds are developing at a rapid rate in Pennsylvania. This tendency is seen not only in requests for inspection, but also in improvements in stables, increased care in purchasing additions to herds, and by the increase of breeding as opposed to the purchase of dairy cows.

An exact census of tubercular cattle in Pennsylvania has never been made and can never be made. Therefore it is impossible to say how much tuberculosis there was in the State and to compare that amount with the undetermined amount that exists at this time. All evidence on this point must be somewhat indirect and circumstantial. There is, however, conclusive evidence to the effect that tuberculosis is very much less prevalent among the cattle of Pennsylvania than it was when the work of the State Live Stock Sanitary Board started in 1896. For example, nearly all of the worn-out dairy cows from the herds in the vicinity of Philadelphia are shipped to that city for slaughter. These cattle are inspected more or less thoroughly by the city meat inspectors. The inspectors visiting or stationed at the Philadelphia slaughterhouses are impressed by the fact that there is very much less tuberculosis among cows than was the case three or four years ago. The practicing veterinarians of the State are in constant contact with herds and are at all times informed as to the general health of the cattle within their fields of practice. The veterinarians testify almost uniformly that tuberculosis is gradually but surely being repressed in the herds with which they come in contact. In the dairy counties in the northeastern part of the State, where there was at one time considerable tuberculosis, thousands of cattle have been tested during the past two years without finding 1 per cent of tubercular animals. It is in these counties that the Live Stock Sanitary Board has done the greatest amount of work, and 550 tubercular cattle have been removed from them.

The increased desire of herd owners to purchase cows known to be free from tuberculosis is shown by the fact that many breeders of purebred cattle guarantee the animals they sell to be free from tuberculosis as established by tuberculin test. At all of the principal auction sales of cattle of the better class the tuberculin test is required by purchasers. Moreover, many dealers in ordinary dairy cows find it to their advantage to have them tested with tuberculin so that they may be able to guarantee all cattle they sell to be free from disease.

Since it is admitted by all who have carefully studied the subject that tuberculosis can never be eradicated from herds without the cooperation of herd owners and an earnest desire on their part that the disease shall be suppressed, the fact

that the herd owners of Pennsylvania are so earnest in this matter constitutes a most hopeful and encouraging sign, and means that the disease will be suppressed. The question now arises as to whether the plan now employed is the best adapted to the purpose in view. The work that has been and is being done has the effect of not only removing diseased and dangerous animals, but, so far as possible, it insures a permanent result for money expended, and in addition it has an educational value that must be looked upon as of great importance. There can be no doubt as to the urgent sanitary grounds for the removal from herds and from the food supply of all cattle afflicted with advanced or udder tuberculosis. But this work alone would continue indefinitely if action were not taken to prevent the disease so that these particularly dangerously diseased animals would not be continually produced. It is for the purpose of striking at the root of the evil that the other measures described above are designed.

### RHODE ISLAND.

The enforcement of laws for the control of contagious diseases of animals in Rhode Island is in the hands of the State Board of Agriculture. The board has power to appoint one or more persons in each county whose duty it shall be to inquire into the condition of any animal or carcass suspected of being affected with tuberculosis, and they may quarantine any such animal or carcass until inspected by the veterinarian employed by the board.

The commissioner of a county must notify the Secretary of the State Board of Agriculture of any suspected case of disease, who shall fix a day when the appraisers and the veterinary surgeon shall make an inspection; if the animal is found to be diseased, it is appraised and killed. The maximum limit of appraisement for any single ordinary or "scrub" animal is \$50; for any single graded animal, \$75; for any single registered animal, \$100.

The appraisers may quarantine any suspected animals, and one-third of the cost of such quarantine is paid by the State.

The State pays to the owner one-half of the appraised value; but if a postmortem shows the animal not to have been affected with tuberculosis, the animal shall be paid for at its full appraised value. These provisions do not apply if the animal so killed has not been owned within the State for three months prior to its being killed.

A certificate giving a description of each animal brought into the State, the date and place of examination, the preparation of tuberculin used, the same to be signed by a veterinarian, shall be sent to the Secretary of the State Board of Agriculture, who in turn sends it, for purposes of identification, to the commissioner for the county where they are to enter the State. The penalty for violation is not to exceed \$100.

Anyone desiring to import cattle into the State without obtaining the certificate mentioned above shall give written notice to the commissioner for the county where they are to go within forty-eight hours after their arrival in the State; such notification shall contain a list

of the cattle, with full descriptions as to age, sex, etc. The cattle commissioner makes an examination of the cattle, and if found free of tuberculosis the fact is certified upon a permit and the cattle are released. If it is suspected that the cattle are affected with tuberculosis, the importer must make the tuberculin test; if this test confirms the suspicion, the cattle are killed, and the State is exempt from the payment of indemnity. If any animal so slaughtered is found not to be affected with tuberculosis, the State pays the full appraised value as indemnity.

The State Board of Agriculture and its representatives may enter any premises for enforcing the law.

The Governor is empowered to accept the rules and regulations of the Bureau of Animal Industry, and the inspectors of said Bureau shall have the right of inspection, quarantine, and condemnation of animals.

The laws relating to bovine tuberculosis are as follows:

#### LAWS.

AN ACT in amendment of Chapter 507, Chapter 627, Chapter 643, and Chapter 1025 of the Public Laws. (Passed May 19, 1892.)

*It is enacted by the General Assembly as follows:*

\* \* \* \* \*

SEC. 8. The board may appoint one cattle commissioner in each county of the State whose duty it shall be to visit and inquire into the condition of any domestic animal in their respective counties whenever there is reason to suspect that any such animal is affected with tuberculosis or other contagious, infectious, or communicable disease.

SEC. 9. The board may employ veterinary surgeons.

SEC. 10. Whenever any animal shall be suspected by either of the cattle commissioners to be affected with tuberculosis the commissioner of the county where the animal is found shall immediately notify the Secretary of the State Board of Agriculture, who shall promptly fix a day when the appraisers, duly appointed as hereinafter provided, shall visit the suspected animal with the veterinary surgeon; and upon confirmation of the disease, and after appraisalment of the value as hereinafter provided, the affected animal shall be killed, and the carcass disposed of in such a manner as will not be detrimental to the public health.

SEC. 11. For the purposes aforesaid the board may appoint some suitable person as appraiser whose duty it shall be to act with one of the cattle commissioners in each county, which two persons shall constitute the board of appraisers for the county. In case of disagreement between the two appraisers the veterinary surgeon shall act as a third appraiser, and the estimate of value of either two of them shall be final: *Provided*, That not more than \$50 shall be allowed for any single native animal, nor more than \$75 for any single grade animal, nor more than \$100 for any single registered animal. And written notice of the amount of the appraisal signed by the board of appraisers shall be immediately given to the owner or claimant of said animal: *And provided further*, That any party aggrieved by any award made under the provisions of this section may appeal therefrom to said board within five days after the receipt of said notice.

SEC. 12. The board of appraisers, by and with the advice of the veterinary surgeon, is hereby authorized to quarantine any animal or animals supposed to be affected with a contagious, infectious, or communicable disease, and one-third of

the cost of such quarantining shall be assumed and paid by the State, except as otherwise provided in Section 21 of this act.

SEC. 13. The State shall pay to the owner of any animal killed under the provisions of Section 10 of this act one-half of its appraised value; but if upon a post-mortem examination it shall be found that the slaughtered animal was not affected with tuberculosis, then the animal so killed shall be paid for at its full appraised value: *Provided*, That the State shall not pay for any diseased animal so killed if the animal has not been in the possession of its present owner three months previous to the day of the slaughter.

SEC. 14. When any person shall be shown to have knowingly brought into this State an animal suffering, or suspected to be suffering, with tuberculosis, or to have concealed the existence of such disease in any animal owned by him, such person shall not be entitled to any compensation for the animal slaughtered under this act, and shall be deemed guilty of a misdemeanor, and upon conviction shall be fined for such offense not exceeding \$100.

SEC. 15. All persons having knowledge or reasons to suspect that any neat cattle or bovine animal has the contagious pleuropneumonia or Texas cattle fever, or that any horse has glanders or farcy, or that any bovine animal or horse has any other highly contagious, infectious, or communicable disease dangerous to public health, shall make report concerning the same by mail or otherwise to the Secretary of the State Board of Agriculture immediately, giving the name of the owner or custodian of the said animal or animals and the place of keeping of the same.

SEC. 16. No person having the care or custody of any animal having any one of the diseases mentioned in the preceding sections shall, knowing the same to have any such disease, sell or exchange, or permit the removal, use, or driving of the same upon any public highway, or the exposure of the same to contact with any other healthy animal of the same kind, except by permission of some member or agent of the State Board of Agriculture. Any person so doing shall be deemed guilty of a misdemeanor, and on being convicted shall be fined not exceeding \$100.

SEC. 17. The State Board of Agriculture, or its duly authorized representatives, having reason to suspect the existence of any of the diseases mentioned in this act upon any grounds or premises, are hereby authorized and empowered to enter upon such grounds or premises for the enforcement of the provisions of this act.

SEC. 18. The Governor is hereby authorized to accept, on behalf of the State, the rules and regulations prepared by the Commissioner of Agriculture under and in pursuance of Section 3 of an act of Congress approved May 29, 1884, entitled "An act for the establishment of a Bureau of Animal Industry, to prevent the exportation of diseased cattle, and to provide means for the suppression and extirpation of pleuropneumonia and other contagious diseases among domestic animals," and to cooperate with the authorities of the United States in [enforcing] the provisions of said act.

SEC. 19. The inspectors of the Bureau of Animal Industry of United States, in cooperation with the State Board of Agriculture, shall have the right of inspection, quarantine, and condemnation of animals affected with any contagious, infectious, or communicable disease, or suspected to be so affected, or that have been exposed to any such disease, and for these purposes are hereby authorized and empowered to enter upon any ground or premises. Said inspectors, in cooperation with the State Board of Agriculture, shall have the power to call on sheriffs, constables, and peace officers to assist them in the discharge of their duties in carrying out the provisions of the act of Congress approved May 29, 1884, establishing the Bureau of Animal Industry; and it is hereby made the duty of sheriffs, constables, and peace officers to assist said inspectors when so requested; and said inspectors shall have the same power and protection as peace officers while engaged in the discharge of their duties.



SEC. 20. The State shall not be liable for any damages or expenses incurred under Sections 18 and 19 of this act.

SEC. 21. Any person or persons who shall wilfully or intentionally interfere with any officer or officers, duly authorized to carry out the provisions of this act, or who shall wilfully or intentionally violate the provisions of the quarantine authorized by Section 13 of this act, shall be deemed guilty of a misdemeanor, and upon conviction, shall be liable to imprisonment not exceeding three months or a fine not exceeding \$100, or both, at the discretion of the court.

SEC. 22. The State Board of Agriculture is hereby authorized to fix the compensation of the cattle commissioners, appraisers, and veterinary surgeons, to prescribe their duties, and to remove them when deemed expedient so to do.

SEC. 23. The Secretary of the State Board of Agriculture shall make a monthly report to the Governor of the obligations of the State Board of Agriculture; and the State Auditor is hereby directed to draw his orders on the general Treasurer for the payment of the same upon vouchers approved by the Governor

SEC. 24. The sum of \$15,000, or so much thereof as may be authorized, is hereby annually appropriated for the purpose of carrying out the several provisions of this act, including all salaries and expenses created under the authority hereof.

SEC. 25. All prosecutions for offenses against the provisions of this chapter shall be commenced within sixty days after the same shall have been committed and not afterwards.

SEC. 26. Chapter 507, Chapter 627, Chapter 643, and Chapter 1025 of the Public Laws, and all acts and parts of acts inconsistent herewith, are hereby repealed and this act shall take effect immediately upon its passage.

AN ACT in amendment of Chapter 1082 [Chapter 99, General Laws] of the Public Laws, entitled "An act in amendment of Chapter 507, Chapter 627, Chapter 643, and Chapter 1025 of the Public Laws," passed May 25, 1892.

*It is enacted by the General Assembly as follows:*

SECTION 1. Section 8 of Chapter 1082 [Chapter 99, General Laws] of the Public Laws is hereby amended so as to read as follows:

"SEC. 8. The board may appoint one cattle commissioner in each county of the State, whose duty it shall be to visit and inquire into the condition of any domestic animal in their respective counties whenever there is reason to suspect that any such animal, or the carcass of any such animal, is affected with tuberculosis or other contagious, infectious, or communicable disease; and the commissioners in their respective counties are authorized to quarantine any such animal, or the carcass of any such animal, until inspected by the veterinarian employed by the board."

SEC. 2. Section 10 of Chapter 1082 [Chapter 99, General Laws] of the Public Laws is hereby amended so as to read as follows:

"SEC. 10. Whenever any animal shall be suspected by either of the cattle commissioners to be affected with tuberculosis, the commissioner of the county where the animal is found shall immediately notify the Secretary of the State Board of Agriculture, who shall promptly fix a day when the appraisers, duly appointed as hereinafter provided, shall visit the suspected animal with the veterinarian; and upon confirmation of the disease, and after appraisalment of the value as herein-after provided, the affected animal shall be killed, and the carcass disposed of in such a manner as will not be detrimental to the public health. Anyone having reason to suspect that any horse or other animal is affected with glanders, farcy, or any contagious or communicable disease, shall immediately report the same to the Secretary of the State Board of Agriculture, who shall notify the veterinarian employed by the board, and said veterinarian shall promptly examine the suspected animal, and if it is found to be affected with glanders, farcy, or any contagious or communicable disease, the veterinarian shall cause the said animal to

be killed and the carcass to be disposed of in such manner as shall not be detrimental to the public health."

SEC. 3. This act shall take effect upon and after its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

AN ACT in amendment of Chapter 99 of the General Laws. (Approved May 15, 1896.)

*It is enacted by the General Assembly as follows:*

SECTION 1. Section 13 of Chapter 99 of the General Laws is hereby amended to read as follows:

"SEC. 13. The State shall pay to the owner of any animal killed under the provisions of Section 10 of this act one-half of its appraised value; but if upon post-mortem examination it shall be found that the slaughtered animal was not affected by tuberculosis, then the animal so killed shall be paid for at its full appraised value: *Provided*, That the State shall not pay for any diseased animal so killed if the animal has not been owned by some person in the State and found in the State three months previous to the day of slaughter."

SEC. 2. All persons, corporations, or companies intending to ship, transport, or to drive cattle into the State must produce a certificate to the effect that the cattle to be shipped, transported, or driven are free from tuberculosis as far as may be determined by physical examination and the tuberculin test. The certificate shall give a description of each animal brought into the State sufficiently accurate for identification, and shall give also the date and place of examination of each animal, the preparation of tuberculin used, the quantity injected, the temperature immediately before inoculation, the temperature at the eleventh hour and every two hours subsequent thereto for at least ten hours or until the reaction is completed. The certificate shall be signed by a veterinarian who is a graduate of a recognized veterinary college, and shall be sent immediately to the Secretary of the State Board of Agriculture, who shall immediately notify a commissioner of the county into which the cattle are to be shipped, transported, or driven, and said commissioner shall examine the cattle to identify them. Failure to comply with the law shall be considered a misdemeanor, punishable by a fine not to exceed \$100.

SEC. 3. Complaints for the violation of the provisions of this chapter shall be made by the Secretary of the State Board of Agriculture, and said Secretary shall be exempt from giving security for costs on any complaint made as aforesaid.

SEC. 4. Section 8 of Chapter 99 of the General Laws is hereby amended to read as follows:

"SEC. 8. The board may appoint one or more commissioners in each county of the State whose duty it shall be to visit and inquire into the condition of any domestic animal in their respective counties whenever there is reason to suspect that any such animal or the carcass of any such animal is affected with tuberculosis or other contagious, infectious, or communicable disease; and the commissioners in their respective counties are authorized to quarantine any such animal, or the carcass of any such animal, until inspected by the veterinarian employed by the board."

SEC. 5. This act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

AN ACT in amendment of and in addition to Chapter 344 of the Public Laws, entitled "An act in amendment of Chapter 99 of the General Laws." (Passed May 4, 1900.)

*It is enacted by the General Assembly as follows:*

SECTION 1. All persons desiring to import cattle into this State or from other States without obtaining the certificate required by Section 2 of Chapter 344 of the Public Laws, shall give written notice to the cattle commissioner of the county into which the cattle are brought within forty-eight hours after the arrival into the State of such cattle, and such notification shall contain a specified list of the

cattle so imported, with a full description of age, sex, and such other particulars as may be necessary for the identification of the said cattle, and the place where they can be found.

SEC. 2. Immediately upon the receipt of such notification the cattle commissioner of the county into which said cattle are imported shall proceed within seventy-two hours to the place designated and make a physical examination of said cattle; and if upon such examination said cattle shall be deemed free from tuberculosis, it shall be so certified by said cattle commissioner upon a permit, and a duplicate thereof to be given to the owner of said cattle, and the cattle shall be released for the use and benefit of the owner.

SEC. 3. If after such examination the cattle commissioner shall be of the opinion that the cattle so examined are afflicted with tuberculosis, he shall require of the importer that the suspected cattle be tested with tuberculin, said test to be applied by a veterinarian of a recognized veterinary college, who shall give to the said commissioner a certificate in writing that such test has been applied, together with a statement of the tuberculin used, quantity injected, temperature of each animal before inoculation, and at the eleventh and every two subsequent hours thereafter, for at least ten hours, or until reaction is complete, and a duplicate thereof shall be given to the owner of said cattle and the original certificate shall be sent by the said commissioner to the Secretary of the State Board of Agriculture. If after such test it shall be proved that such suspected cattle are afflicted with tuberculosis, such diseased cattle shall be immediately slaughtered upon written order of said commissioner, and the State shall not be required to compensate the owner for their loss, and the owner shall pay for testing such cattle with tuberculin; but if such cattle shall be found free from tuberculosis they shall be released for the use and benefit of the owner. If any of such cattle are slaughtered, and upon postmortem examination it shall be found that the slaughtered animal was not afflicted with tuberculosis, then the animal so killed shall be paid for by the State at its full appraised value in accordance with the provisions of Section 11 of Chapter 99 of the General Laws.

SEC. 4. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall be fined not more than \$100.

SEC. 5. This act shall take effect from and after its passage.

### SOUTH CAROLINA.

South Carolina has no law relative to bovine tuberculosis.

### SOUTH DAKOTA.

There is no special law relative to bovine tuberculosis in South Dakota. The law against contagious diseases, which is very brief, is given below:

#### LAW.

AN ACT to prevent the spreading of contagious diseases among domestic animals. (Approved March 6, 1895.)

*Be it enacted by the Legislature of the State of South Dakota:*

SECTION 1. Any person who shall hereafter knowingly and wilfully bring or cause to be brought into this State any hogs or other domestic animals infected with contagious disease, or any person who shall knowingly carry or drive or cause to be carried or driven upon any public highway or within the distance of one mile of any such highway in this State, or who shall knowingly and wilfully suffer

or permit any hogs or other domestic animals infected with contagious disease to run at large, shall be fined in any sum not to exceed \$100, and shall be liable in a civil action for all damages occasioned thereby.

SEC. 2. An emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval.

### TENNESSEE.

Tennessee has no special law relative to tuberculosis. The State Board of Health takes cognizance of tuberculosis as one of the "communicable diseases among domestic animals."

The State Board of Health has general supervision of contagious and infectious diseases, and is empowered to establish quarantine against animals having such diseases, and to make rules and regulations to carry the law into effect. The penalty for violation of the rules and regulations of the quarantine is not less than \$50 or more than \$500, or imprisonment for a period of three months, or both fine and imprisonment.

Local boards of health are required to notify the State Board of Health of the outbreak of any contagious disease or whether the presence of such a disease is suspected, whereupon the State Board shall take measures for the restriction and stamping out of the disease. Neglect to notify the State Board is punishable by fine or imprisonment.

The State Board of Health is empowered to kill animals after appraisement at their value at the time they are killed. The board of appraisement certifies the value to the county in which the animal is killed, and the same becomes a charge against that county.

The importation of animals so diseased, or disposing of such animals within the State, is punishable by a fine not exceeding \$100 or by imprisonment not exceeding three months, or by both fine and imprisonment.

It is further made the duty of owners or agents of animals discovered to be or suspected of being affected with any contagious or infectious disease to report the fact to the local board of health, which will at once have the matter investigated. It may also establish temporary quarantine.

The laws which are applicable to tuberculosis and the regulations which have been issued by the State Board of Health are as follows:

### LAWS.

AN ACT to prevent the spread of communicable diseases among domestic animals in the State of Tennessee. (Passed April 10, 1893.)

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That upon the nomination of the State Board of Health of a qualified person, resident of the State, and who is a graduate of some regular and established veterinary college and skilled in the art of veterinary science, the Governor shall appoint and commission the same State Veterinary Surgeon, whose term of office shall be for five years from date of appointment, or until his successor shall have

been appointed and duly qualified; said State Veterinary Surgeon to have such annual compensation as may be determined and agreed upon by the said State Board of Health: *Provided*, That the said State Board of Health shall have the power to remove said State Veterinary Surgeon when, in their judgment, the public welfare requires it.

SEC. 2. *Be it further enacted*, That the said State Veterinary Surgeon shall, before entering upon the discharge of his duties, take an oath or affirmation, as provided by law in the case of other State officers, and shall immediately execute a bond to the State of Tennessee in the sum of \$10,000, and with such security as shall be approved by the said State Board of Health, and file the same in the office of the Secretary of State, conditioned for the faithful performance of the duty imposed upon said State Veterinary Surgeon as may be prescribed by said State Board of Health.

SEC. 3. *Be it further enacted*, That the State Board of Health 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, or that have been exposed to others thus diseased, whether within or without the State, and may make 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 said State Board of Health 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.

SEC. 4. *Be it further enacted*, That any person who wilfully hinders, obstructs, or otherwise disregards or evades such quarantine as said State Board of Health may declare, or violate 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 said Board of Health, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$50 nor more than \$500, or imprisonment in the county jail for a period of three months, one or both, at the discretion of the court.

SEC. 5. *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 State Board of Health of the fact, when said Board shall institute such measures for the restriction or stamping out of such disease or diseases as they may think necessary. Any person or persons above specified, who shall neglect or refuse to notify said State Board of Health of the existence of any communicable disease as aforementioned, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not more than \$10, or confined in the county jail not exceeding two months, or both, at the discretion of the court.

SEC. 6. *Be it further enacted*, That whenever, in the opinion of the State Board of Health, the public safety demands the destruction of any animal or animals, under the provisions of this act, they shall, before ordering the killing or slaughtering of the same, appoint two competent and disinterested freeholders, who shall be affirmed or sworn before proceeding to act, and they, together with the State Veterinary Surgeon, shall thus constitute a board of appraisement to 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 animal when killed; and after said board of appraisement 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 court of the county in which such animal or animals are so killed or slaughtered, and the same shall constitute a county charge, and to be paid as other claims against the county now are.

SEC. 7. *Be it further enacted*, That any person or persons who knowingly shall

import or bring into this State any animal or animals affected with pleuropneumonia, rinderpest, glanders, or other communicable diseases, 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 \$100 or imprisonment in the county jail for a period not exceeding three months, or both, in the discretion of the court.

SEC. 8. *Be it further enacted*, That the Governor of the State, with the State Board of Health, may cooperate with the Government of the United States for objects 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 may be.

SEC. 9. *Be it further enacted*, That all laws or parts of laws in conflict with this act be, and the same are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

AN ACT to amend Chapter 180, Acts of 1893, passed April 10th, 1893, and approved April 10th, 1893, 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 same. (Passed February 12, 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 any such animal or animals as aforesaid are affected 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.

\* \* \* \* \*

SEC. 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 said investigation show a reasonable probability that such animal or animals is 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 such disease, and they shall without delay report all action taken to the State Board of Health, 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 State Board of Health until such time as the said State Board of Health shall take charge of the case or cases, and county boards of health of those counties which form the north border of the quarantine line, as established by the Federal authorities, shall adopt and enforce such rules and regulations as said State Board of Health may prescribe, having for their object the prevention and restriction of splenic, or Texas, fever, or any communicable disease among domestic animals which may be either threatened or developed in such localities. And all expenses incurred by the county boards 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.

\* \* \* \* \*

SEC. 5. *Be it further enacted*, That any person who owns or is in possession of live stock which is reported, or suspected, to be affected with any communicable disease, or with insects which may produce such diseases, who shall refuse to allow said county board of health, or any one acting under its order, to examine such stock, or who shall hinder or obstruct the said board or its appointee 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 \$50 nor more than \$200.

SEC. 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, who shall permit such animal or animals to run at large, or who shall keep such animal or animals where other domestic animals 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 the said State Board of Health 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 \$50 nor more than \$100 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 State Board of Health, or its authorized veterinarian, a certificate of health for such animal or animals.

SEC. 7. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

#### PROCLAMATION.

##### OFFICE OF STATE BOARD OF HEALTH,

*Nashville, Tenn., June 1, 1900.*

Whereas it has been ascertained by the State Board of Health of the State of Tennessee that a great many of the dairy and breeding cattle in other States are infected with a dangerous and infectious disease in cattle, known as tuberculosis, and that a great many of said cattle are being shipped into the State of Tennessee for breeding and dairy purposes, it is therefore ordered that from and after June 1, 1900, it shall be unlawful for any cattle to be shipped or transported from any State or Territory into the State of Tennessee for breeding or dairy purposes: *Provided, however*, That shipments may be made from other States into the State of Tennessee of breeding and dairy cattle after said cattle have been tested with tuberculin and found free of tuberculosis, and a permit and a bill of health given by a qualified veterinarian or bacteriologist acting under the orders and directions of the Live Stock Sanitary Board of the respective State or Territory, and the certificate so given by such examiner shall be given in duplicate, the original of which shall be forwarded to the State Board of Health at Nashville, Tennessee, and the duplicate given to the railroad or other transportation company, to be attached to the bill of lading for said cattle; and no railroad or other transportation company shall accept any such cattle or bring or ship any such cattle into the State of Tennessee for breeding or dairy purposes without the certificate and bill of health herein provided for, and no railroad or other transportation company shall accept from their connecting lines any cattle shipped in violation of this provision.

Nothing in this resolution shall be construed as exempting from other cattle quarantine restrictions.

By order of the—

STATE BOARD OF HEALTH OF TENNESSEE,  
J. A. ALBRIGHT, M. D.,

*Secretary and Executive Officer.*

W. H. DUNN, *State Live Stock Commissioner.*

## TEXAS.

The official control of contagious diseases of animals in Texas is lodged in a Live Stock Sanitary Commission, composed of three members who are practical stock raisers and appointed by the Governor of the State. The duty of the commission is "to protect the domestic animals of this State from all contagious or infectious diseases of a malignant character, whether such diseases exist in Texas or elsewhere; and for this purpose they are hereby authorized and empowered to establish, maintain, and enforce such quarantine lines and sanitary rules and regulations as they may deem necessary." Tuberculosis is not specifically mentioned.

The laws (R. S., 1895) bearing upon contagious diseases are given below, and the rules and regulations issued are embodied in the proclamations by the Governor.

## LAW.

[TITLE 102—STOCK LAW. CHAPTER 7.]

ARTICLE 5043a. There shall be appointed by the Governor, and with the consent of the Senate, a Live Stock Sanitary Commission of the State of Texas, composed of three members. Before entering upon the duties of their office said commissioners shall take and subscribe to the usual oath of office and file the same with the Secretary of State; and they shall also, before entering upon the performance of their duties, execute a bond, to be approved by the State Comptroller, in the sum of \$10,000 each, conditioned that they will faithfully perform the duties of their office, which said bond they shall file with the Secretary of State. The term of office of said commissioners shall be for a period of two years next from the day of their qualification and until their successors shall have been appointed and qualified.

ART. 5043b. The commissioners whose appointment is provided for in the preceding article shall each be practical live-stock raisers in the State of Texas, and shall have been actively engaged in said business for at least five years next preceding the date of their appointment, and shall be bona fide residents of and stock raisers in the particular section of the State from which they may be appointed. One of said commissioners shall be appointed from the west, one from the south, and one from the eastern portion of said State.

ART. 5043c. It shall be the duty of the commission provided for in article 5043a to protect the domestic animals of this State from all contagious or infectious diseases of a malignant character, whether said diseases exist in Texas or elsewhere; and for this purpose they are hereby authorized and empowered to establish, maintain, and enforce such quarantine lines and sanitary rules and regulations as they may deem necessary. It shall also be the duty of said commission to cooperate with live stock quarantine commissioners and officers of other States and Territories, and with the United States Secretary of Agriculture, in establishing such interstate quarantine lines, rules, and regulations as shall best protect the live-stock industry of this State against Texas, or splenic fever. It shall be the duty of said commission, upon receipt by them of reliable information of the existence among the domestic animals of the State of any malignant disease, to go at once to the place where any such disease is alleged to exist and make a careful examination of the animals believed to be affected with any such disease and ascertain if possible what, if any, disease exists among the live stock reported to be affected,



and whether the same is contagious or infectious, and if said disease is found to be of a malignant, contagious, or infectious character, they shall direct and enforce such quarantine lines and sanitary regulations as are necessary to prevent the spread of any such disease. And no domestic animal infected with disease, or capable of communicating the same, shall be permitted to enter or leave the district, premises, or grounds so quarantined, except by authority of the commissioners. The said commission shall also, from time to time, give and enforce such directions and prescribe such rules and regulations as to separating, feeding, and caring for such diseased and exposed animals as they shall deem necessary to prevent the animals so affected with such disease from coming in contact with other animals not so affected. And the said commissioners are hereby authorized and empowered to enter upon any grounds or premises to carry out the provisions of this act.

ART. 5043d. When the commission shall have determined the quarantine lines and other regulations necessary to prevent the spread among domestic animals of Texas of any malignant, contagious, or infectious disease found to exist among the livestock of this State or elsewhere, and given their orders as hereinbefore provided, prescribing quarantine and other regulations, they shall notify the Governor of the State of Texas, who shall issue his proclamation proclaiming the boundary of such quarantine around such diseased stock and the orders, rules, and regulations prescribed by the commission; and such commission shall give such notice as may to them seem best to make the quarantine established by them effective.

ART. 5043e. The commission provided for in this chapter shall have power to purchase such supplies and material as may be necessary to carry into full effect all orders by them given as hereinbefore provided, which said supplies and material and wages and expenses of the veterinarian hereinafter provided for shall be paid out of the moneys hereinafter appropriated, on the warrant of the comptroller, issued to said commissioners upon their filing with the comptroller an itemized account thereof properly verified by affidavit: *Provided*, That no material or supplies may be purchased by the commissioners except such as may be necessary to carry into effect the quarantine and other regulations prescribed by them. And such commissioners shall have the power to employ a competent veterinarian to assist them in the investigation of the diseases among the live stock of this State whenever they may deem the services of one necessary: *Provided*, That the compensation of such veterinarian shall not exceed the sum of \$10 per day and actual expenses while so employed: *And provided further*, That the expenditures for the compensation of veterinarians shall not exceed \$900 in any one year.

ART. 5043f. It shall be the duty of the railway corporations doing business in the State to cleanse and disinfect the cars used by them in transporting live stock in or through this State at such times and places as the commissioners may designate, whenever, in the opinion of the commissioners, any such order may be necessary to prevent the spread of infectious or contagious disease. And such corporations violating the provisions of this article shall be liable to a penalty of \$500 for each offense, to be recovered in a civil action to be prosecuted under the direction of the Attorney-General in the name of the State of Texas.

ART. 5043g. It shall be the duty of any owner or person in charge of any domestic animal or animals who discovers, suspects, or has reason to believe that any of his domestic animals or domestic animals in his charge are affected with any contagious or infectious disease to immediately report such fact, belief, or suspicion to the commission and to the sheriff and county clerk of the county in which said domestic animals are found.

ART. 5043h. The commissioners appointed by the Governor, as hereinbefore provided, shall receive \$5 per day for the time by them necessarily employed in the discharge of the duties required by this chapter; and said commissioners herein-

before provided for shall receive in addition thereto the actual and necessary traveling expenses incurred by them and paid in the discharge of the duties required of them by this provision of this chapter, which said per diem and expenses shall be drawn from the treasury on the warrant of the Comptroller, to be issued to said commissioners on their filing with the Comptroller an itemized account thereof properly verified by affidavit.

ART. 5043i. The Live Stock Sanitary Commission shall have power to call upon any sheriff, deputy sheriff, or constable to execute their orders, and such officers shall obey the orders of said commissioners; and the officer or officers performing these duties shall each be entitled to \$2.50 per day for himself and horse, which payment shall be made upon a sworn account, approved by said commissioners: *Provided*, Said expenses under this article shall not exceed in any event \$500 per annum.

ART. 5043j. The sum of \$20,000, or so much thereof as may be necessary, is hereby appropriated, out of the general revenue fund not otherwise appropriated, for the purpose of carrying into effect the provisions of this chapter: *Provided*, That the exhaustion of the appropriation herein made shall terminate the liability of the State for the two years next following and absolve it from any future claims of any and all persons who may have claims, real or pretended, under the provisions of this chapter.

(Amended January 28, 1897.)

ART. 5043k. SECTION 1. *Be it enacted by the Legislature of the State of Texas, That* ARTICLE 5043k be, and the same is, amended so as hereafter to read as follows: Any quarantine line that may be fixed by the Live Stock Sanitary Commission against Texas or splenetic fever shall be so fixed as to conform to the Federal quarantine line established or that may be established by the United States Department of Agriculture.

SEC. 2. The fact that there is serious question of the power of the Live Stock Sanitary Commission to establish a quarantine line in conformity with the line established by the United States Department of Agriculture, and, unless such line is established, the entire State may be quarantined by the United States authorities and incalculable injury done to the cattle interests of Texas, creates an imperative public necessity, and an emergency exists that the constitutional rule requiring all bills to be read on three several days be suspended, and that this bill be put on the third reading and final passage, and that the act take effect and be in force from and after its passage, and it is so enacted.

ART. 5043l. No quarantine line shall be established at any time, nor regulations made in regulation thereto, unless two of the Live Stock Sanitary Commissioners agree thereto.

ART. 5043m. This chapter does not repeal any law in force for the protection of domestic animals, but is cumulative thereto.

#### PROCLAMATIONS.

Whereas The Live Stock Sanitary Commission of the State of Texas on December 14, 1899, adopted the following rule and regulation:

First. Whereas The Live Stock Sanitary Commission of the State of Texas has ascertained that a great many of the breeding and dairy cattle in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, and Colorado are infected with a contagious and infectious disease in cattle known as tuberculosis, and that a great many of said cattle are being shipped into the State of Texas for breeding and dairy purposes:

It is therefore ordered that from this date it shall be unlawful for any cattle to be shipped or transported from either of the above-named States into the State of Texas for breeding or dairy purposes: *Provided, however,* That shipments may be made from such States into the State of Texas for breeding and dairy purposes after said cattle have been examined and found free of tuberculosis, and a permit and bill of health given by a veterinarian of the United States Bureau of Animal Industry, or a veterinarian acting under the order and direction of the Live Stock Sanitary Board of either of the above-named States, and the certificates so given by such veterinarians shall be given in duplicate, the original of which shall be forwarded to W. B. Tullis, Quanah, Texas, and the duplicate given to the railroad company to be attached to the bill of lading for said cattle. And no railroad company shall accept any such cattle, nor bring nor ship any such cattle into the State of Texas from either of the above-named States, for breeding or dairy purposes, without the certificate and bill of health herein provided for; and no railroad company shall accept from its connecting lines any cattle shipped in violation of this provision.

Second. *Provided, however,* That native cattle, that is, cattle born and raised in the States of Nebraska and Colorado, may be moved into the State of Texas upon the owner or person in charge thereof making affidavit, supported by the affidavit of two credible disinterested citizens of said State, stating in substance that said cattle are natives of said States of Colorado and Nebraska, which said affidavit shall be made before some officer authorized to administer oaths; and the above affidavit so made shall be given in duplicate, the original of which shall be forwarded to W. B. Tullis, Quanah, Texas, and the duplicate given to the owner or person in charge of said cattle, to be attached to the bill of lading for said cattle; and no railroad company shall accept any such cattle for shipment nor bring nor ship any such cattle into the State of Texas, for breeding or dairy purposes, from the said States of Nebraska or Colorado, nor accept from its connecting lines any cattle shipped in violation of this provision.

Third. It is further ordered that a violation of any of the provisions herein above set out shall be an offense and punishable as is provided by the laws of the State of Texas.

Now, therefore, I, Joseph D. Sayers, Governor of the State of Texas, in conformity with the provisions of Chapter 7, Title 102, of the Revised Statutes of Texas of 1895, do hereby declare that the rule and regulation set forth in the above-recited order of the Live Stock and Sanitary Commission of Texas shall be in full force and effect from and after the first day of January, A. D. 1900.

In witness whereof, I have hereunto set my hand and caused the seal of the State to be affixed at Austin, this 28th day of December, A. D. 1899.

JOSEPH D. SAYERS, *Governor.*

By the Governor:

D. H. HARDY,

*Secretary of State.*

Whereas the Live Stock Sanitary Commission of the State of Texas, on October 18, 1900, recommended the adoption of the following regulations:

\* \* \* \* \*

Twelfth. And whereas it has been ascertained by the Live Stock Sanitary Commission of the State of Texas that a great many of the dairy and breeding cattle in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Nebraska,

Missouri, and Colorado are infected with a dangerous and infectious disease in cattle, known as tuberculosis, and that a great many of said cattle are being shipped into the State of Texas for breeding and dairy purposes; it is therefore ordered that from this date it shall be unlawful for any cattle to be shipped or transported from either of the above-named States to the State of Texas for breeding or dairy purposes: *Provided, however,* That shipment may be made from said States into the State of Texas of breeding and dairy cattle after said cattle, and the herd from which they originated, have been examined and found free of tuberculosis, and a permit and a bill of health given by a veterinarian of the United States Bureau of Animal Industry, or a veterinarian under the order and direction of the Live Stock Sanitary Board of either of the above-named States, and the certificate so given by such veterinarian shall be given in duplicate, the original of which shall be forwarded to M. M. Hankins, Quanah, Tex., and the duplicate given to the railroad company to be attached to the bill of lading for said cattle; and no railroad shall accept any such cattle nor bring or ship any such cattle into the State of Texas from either of said States for breeding or dairy purposes without the certificate and bill of health herein provided for; and no railroad company shall accept from its connecting lines any cattle shipped in violation of this provision: *Provided, however,* That native cattle—that is, cattle born and raised in the States of Nebraska and Colorado—may be moved into the State of Texas upon the owner or the person in charge thereof making affidavit, supported by the affidavit of two credible, disinterested citizens of said State, stating, in substance, that said cattle are natives of said State of Colorado or Nebraska, as the case may be, which said affidavit shall be made before some officer authorized to administer oaths; and the above affidavit so made shall be given in duplicate, the original of which shall be forwarded to M. M. Hankins, Quanah, Tex., and the duplicate given to the owner or person in charge of said cattle, to be attached to the bill of lading for said cattle; and no railroad company shall accept such cattle for shipment, nor bring nor ship any such cattle into the State of Texas, for breeding or dairy purposes, from the State of Colorado or Nebraska, nor accept from its connecting lines any cattle shipped in violation of this provision: *And provided further,* That cattle may be shipped into Texas for show or exhibit at public fairs, or for immediate slaughter or export from Texas ports, without such certificate; but if such show cattle are sold in Texas, then before being delivered to purchasers they shall be tested as herein stated.

\* \* \* \* \*

Seventeenth. It is further ordered that a violation of any or either of the above rules and regulations shall be an offense, and punishable as is provided by the laws of the State of Texas.

Now, therefore, I, J. N. Browning, Lieutenant-Governor and Acting Governor of the State of Texas, in conformity with the provisions of Chapter 7, Title 102, of the Revised Statutes of Texas of 1895, do hereby declare that the quarantine line and the rules and regulations set forth in the above-recited order of the Live Stock and Sanitary Commission of the State of Texas shall be in full force and effect from and after November 1, 1900, and shall remain in effect for one year thereafter, unless otherwise ordered in due form of law.

In witness whereof I have hereunto set my hand and caused the seal of the State to be affixed at Austin, the 20th day of October, A. D. 1900.

J. N. BROWNING,  
*Lieutenant-Governor and Acting Governor.*

By the Governor:

D. H. HARDY, *Secretary of State.*

## UTAH.

The enforcement of the laws of Utah relating to the public health devolves upon a State Board of Health, consisting of seven persons, appointed by the Governor. One of the duties of the board is to make "investigations and inquiries respecting the causes of diseases, especially of epidemic diseases, including those of domestic animals."

Tuberculosis is implied in the section prohibiting the importation of "any domestic animals afflicted with a contagious or infectious disease." Domestic animals so affected are not permitted to run at large, and may not be sold without disclosing their condition to the purchaser. Such animals must be kept separate from others.

A special act relative to bovine tuberculosis, passed in 1899, provides that cattle having tuberculosis shall not be kept by dairymen, but shall be killed by the Dairy and Food Commissioner. There appears to be no provision for the tuberculin test or indemnity.

Sections of the Revised Statutes bearing upon tuberculosis as one of the infectious diseases of animals are as follows:

## LAW.

58. Any person owning or having in charge any domestic animal afflicted with a contagious or infectious disease, that, knowing such animal to be diseased, shall bring or drive the same into this State, shall be deemed guilty of a misdemeanor.

60. Any person owning or having in charge any domestic animal afflicted with a contagious or infectious disease, that, knowing such animal to be diseased, shall allow it to run at large upon any uninclosed land, common, or highway, or that shall sell or dispose of such animal without fully disclosing its condition to the purchaser, shall be deemed guilty of a misdemeanor.

61. Any person owning or having in charge any domestic animal afflicted with a contagious or infectious disease shall immediately remove the same to some place where it can not endanger the health of other domestic animals.

62. Any person violating any of the provisions of this chapter, in addition to the penalties herein provided, shall be liable for all damages that may accrue to any party damaged by reason of said animal imparting disease.

67. If the owner or person in charge of any such animal at the time of its death shall fail to remove or bury the same, as in this chapter provided, any citizen may bury or remove such animal and collect pay therefor from the owner, if known, or from the county where the owner is unknown. It shall be the duty of all sheriffs, constables, and city marshals to see that the provisions of this chapter are carried into effect.

AN ACT to prevent persons selling or furnishing milk or dairy products, from keeping cattle having tuberculosis or other contagious or infectious diseases. Approved, March 9, 1899.

*Be it enacted by the Legislature of the State of Utah:*

SECTION 1. No person selling, exchanging, furnishing, or delivering milk or dairy products shall have in his possession, at any place where milch cows are kept, any cattle having tuberculosis or other infectious or contagious disease.

SEC. 2. It shall be the duty of the Dairy and Food Commissioner of this State, in case he shall find that cattle are kept in violation of the provisions of this act, to cause all such cattle, having any contagious or infectious disease, to be killed.

SEC. 3. Any person violating the provisions of this act shall be guilty of a misdemeanor.

SEC. 4. This act shall take effect upon approval.

#### RULES AND REGULATIONS.

Rules and Regulations of State Board of Health relating to diseased animals, adopted April 20, 1898.

No animals driven or shipped from infected districts, within the quarantine line defined by the United States Department of Agriculture, shall enter the State of Utah unless they shall first have been inspected at the points designated by the State Board of Health by an inspector of the State of Utah and found to be free from any contagious or infectious disease or fever ticks: *Provided*, That cattle may be shipped through the State, on condition that if found to be infected with splenic, or Texas, fever, they must be placed in quarantine pens when unloaded for feeding and watering.

Inspectors having inspected animals from the quarantine district prescribed, and having found the said animals free from all contagious or infectious diseases and fever ticks, shall issue a certificate of health.

All cattle offered for shipment without a certificate of health from the said inspector, shall be regarded as infected and must follow the rules and regulations hereinbefore stated.

The expense of inspection as herein provided shall be defrayed by the owner or owners of the animals inspected.

#### VERMONT.

In Vermont it is a violation of law to bring domestic animals into the State which are known to be infected with or having been exposed to any contagious or infectious disease. The penalty for this offense is not more than \$500 or less than \$100.

The selectmen of towns and aldermen may make regulations to prevent the spread of such diseases, and shall report all such cases to the Governor.

The Board of Agriculture may prohibit the importation into the State of animals believed to be affected with or exposed to any contagious or infectious disease, or may quarantine the same for such a period of time as may be deemed necessary. It is also the duty of the board to obtain as full information as possible regarding any contagious or infectious disease which may prevail near the borders of the State and publish such information. Should any such disease break out in any town in this State, the board is required to examine into the matter and publish the results of their examination for the benefit of the public.

The Board of Agriculture may quarantine all animals affected with tuberculosis, as well as those that have been exposed to that disease, and may make such investigations and "regulations as they deem necessary for the detection, prevention, treatment, cure, and extirpation of such disease, but shall not apply the tuberculin test without the consent of the owner of the cattle." The tuberculin test is required, however, in the case of cattle imported into the State.

The Board of Agriculture may condemn and order killed any cattle which they believe to be affected with tuberculosis, and may prohibit the sale or removal from the premises of any dairy product from cows so affected.

Animals killed by order of the board are appraised by disinterested persons, said appraisement to be upon the basis of health. The limit of value in such cases is \$40. If upon postmortem an animal is found to be affected, the owner receives one-half the appraised value; if not affected, the full appraisement. The State pays the indemnity. Indemnity does not extend to animals which have not been owned and kept within the State for a period of six months immediately prior to being killed.

The rules and regulations issued by the Board of Agriculture always supersede those issued by selectmen or aldermen.

#### LAW.

(STATUTES OF 1894.)

SEC. 4807. If a person brings into this State any domestic animals which he knows to be infected with an infectious or contagious disease, or exposes such cattle or other animals known to him to be so infected to other cattle and animals not infected with such disease, he shall be fined not more than \$500 and not less than \$100.

SEC. 4808. The selectmen of the towns, and the board of aldermen of the cities of this State, may make and enforce such regulations as they deem proper to prevent the spread of infectious or contagious diseases among domestic animals within their respective towns and cities, and shall inquire into all such cases coming to their knowledge, and shall immediately report the same to the Governor. A person who knowingly violates or refuses to obey such regulations made by such town or city authorities shall be fined \$100.

SEC. 4809. The Board of Agriculture may prohibit the introduction of horses or other domestic animals believed to be infected with or exposed to any contagious disease, into this State, or may quarantine all such animals for such time as the public good requires; but shall not prohibit the transportation of the same in cars through this State.

SEC. 4810. If a person violates such order, after the same has been published three successive days in such newspapers published in this State as the board directs, he shall be fined not more than \$300 for each offense, and every officer or agent of any company, or other person who violates such order, shall be fined as aforesaid. The introduction into this State at the same time of a number of horses, cattle, or other domestic animals, contrary to the orders of such board, shall be deemed a separate and distinct offense for each animal.

SEC. 4811. The board shall endeavor to obtain full information in relation to any contagious disease which may prevail among domestic animals near the borders of the State, and publish and circulate such information at their discretion; and should any such disease break out, or should there be reasonable suspicion of its existence among cattle or other domestic animals in any town in this State, they shall examine the cases and publish the results of their examination for the benefit of the public. The board is also authorized to examine, under oath, in the several towns and cities in this State, all persons possessing or believed to possess knowledge of any material facts concerning the existence or dissemination or danger of dissemination of diseases among domestic animals, and for this purpose shall have

all the power now conferred upon justices of the peace to compel witnesses to attend and testify.

SEC. 4812. All costs and expenses incurred in procuring the attendance of such witnesses shall be allowed by the State Auditor, upon the approval of the Governor, and be paid by the State.

SEC. 4813. When bovine tuberculosis or any contagious disease exists in the State among cattle or other domestic animals, the Board of Agriculture may quarantine all infected animals or such as they suppose have been exposed to the contagion, may prohibit any animal from passing on or over any of the highways near the place of quarantine, may enter upon any premises where there are animals suspected to have bovine tuberculosis or any contagious disease, may employ such expert help and means as they deem necessary to a thorough investigation of such diseases, may make all investigations and regulations they deem necessary for the detection, prevention, treatment, cure, and extirpation of such disease, but shall not apply the tuberculin test without the consent of the owner of the cattle, but in quarantine regulations against cattle imported from without the State the tuberculin test may be applied, and they may condemn and order killed any cattle or other domestic animals believed by said board to be infected with bovine tuberculosis or any contagious disease, and may order the bodies of the same buried or burned, as in their judgment the case may require; may forbid the sale or removal from the premises of any dairy product from cows that are believed to have bovine tuberculosis. Any person who shall knowingly violate or refuse to comply with any order or regulation of such board, made under the authority of this section, shall be fined not more than \$200, or be imprisoned not more than two years, or both.

SEC. 4814. If any person shall sell or offer to sell any cattle or other domestic animal known to him to be infected with bovine tuberculosis or any contagious disease, or any disease dangerous to the public health, or shall sell or offer to sell any part or parts of such cattle or other domestic animal, he shall be fined not more than \$200, or be imprisoned not more than two years, or both.

SEC. 4815. The value of all cattle or other domestic animals killed by the written order of the Board of Agriculture shall be appraised by one of said board and a disinterested person selected by the owner of the condemned animals; but if these two can not agree upon the amount of the appraised value of the animal, they shall select a third disinterested person, who, together with them, shall appraise the animal, such appraisal to be made just before killing, and on a basis of health. The limit of the appraisal of cattle shall be \$40. A postmortem examination shall be made, and if the animal be found affected with bovine tuberculosis or any disease dangerous to the public health, the owner of the animal shall receive one-half the appraised value; but if no bovine tuberculosis or disease dangerous to the public health be found, the owner of the animal shall receive the full amount of the appraisal, and in addition shall receive the slaughtered animal. The amount which the owner is entitled to receive shall be paid by the State to the owner of such animal or animals upon a written order, signed by the member of the board in charge and countersigned by the secretary of said board. No indemnity shall be paid to the owner of condemned cattle or other domestic animals that have not been owned and kept in the State for at least six months previous to the discovery of the disease. Any person who shall knowingly violate or refuse to comply with any regulations made by such Board of Agriculture under the authority and provisions of this section shall be fined not more than \$200, or imprisoned not more than two years, or both.

SEC. 4816. All expenses incurred by the board under the provisions of the three preceding sections shall be allowed by the State Auditor, upon the approval of the Governor, and paid by the State.



SEC. 4817. Whenever the board shall make and publish regulations concerning the extirpation, cure, or treatment of domestic animals infected with, or which have been exposed to, any contagious disease, such regulations shall supersede the regulations made by the selectmen of the several towns, or the board of aldermen of the several cities, upon the same subject; and the operation of such regulations made by said authorities shall be suspended during the time those made by the board as aforesaid are in force.

SEC. 4818. The board shall keep a record of its doings and report the same to the Governor prior to the fifteenth day of September, annually, unless sooner required.

SEC. 4819. All orders, appointments, and notices from the board shall be signed by a majority of the same.

SEC. 4820. [As amended by act of November 7, 1896.] Every prosecution for a violation of any of the provisions of this chapter shall be commenced within six months from the commission thereof.

Below are copied the regulations issued by the Board of Agriculture; also some quotations from the report of Mr. C. J. Bell, Secretary of the Board of Agriculture for the year ended July 1, 1900:

#### REGULATIONS.

##### INSPECTION.

I. Owners of cattle in the State may have their herds tested with tuberculin at State expense by applying to the board. Owners of herds, tested by the State, will not be allowed to admit cattle into their herds unless such cattle have been tested or have come from herds tested by the State.

II. All cattle that are judged tuberculous on tests made by the State must be killed and the bodies buried or burned. Owners of herds are required to bear the expense of killing and disposing of the bodies. The hides of the cattle killed will be at the disposal of the owners.

III. Applications for tests will be complied with as far as practicable in the order received. Exceptions to this rule are sometimes made for the purpose of testing herds suspected of being tuberculous and for completing tests in a given locality.

IV. Applications to test a portion of a herd only will always be refused.

V. The board claims the right to retest herds in which disease is found whenever they think best. A second test will not be made in herds where no disease or suspicious cases are found on the first test.

VI. No indemnity will be allowed for cattle killed by their owners and found diseased where no inspection has been made by the board.

VII. Persons having herds tested, from which diseased animals are killed, will be required to observe the rules and directions of the board in disinfecting their premises.

##### DISINFECTION OF STABLES.

*Things required.*—Brooms, pails, hoe, barrel, spray pumps, and a half pound of the following mixture for each five stalls: Corrosive sublimate, ammonium chloride, equal parts, well mixed.

*Directions.*—Remove all live stock, and after sprinkling to lay the dust sweep all dust and dirt from mangers, walls, and floor, scraping loose gummy material clinging to mangers and stanchions with hoe. Mix well one package of disinfecting powder and thirty gallons of water; then dip out in pail and with broom scrub mangers and stanchions; then with spray pump thoroughly drench ceiling, side walls, floor, etc., using at least a barrel of solution to each five stalls.

*Caution.*—This solution is poison, so do not leave pools of it in mangers.

## QUARANTINE.

I. Under the quarantine regulations now in force, no cattle are allowed to enter Vermont from any source, to be held in the State, without a permit from the board. Any common carrier who leaves an animal in the State without being accompanied by such permit, or any person who brings an animal into the State without such permit, is liable to a fine not exceeding \$200.

II. Permits will be issued to persons to bring cattle into the State after such cattle have passed an examination with tuberculin that is satisfactory to the board. Such cattle will be held in quarantine at some place designated by the board until identified and released.

Permits will also be given to persons to bring cattle into the State, and the same shall be held at such place as is designated by the board under quarantine restrictions until tested with tuberculin by some person approved by the board and judged to be free from tuberculosis.

III. All expenses incurred in identifying, releasing, and testing cattle under the preceding rule must be paid by the owner of the cattle.

IV. Applications for permits to bring cattle into the State should be made to the secretary of the board.

Adopted December 16, 1898.

C. J. BELL, *Secretary*.

EAST HARDWICK, VT., *January 2, 1899.*

## THE SECRETARY'S REPORT.

It has seemed hard to some buyers of cattle, and especially to farmers living on the borders of the State, to be obliged to comply with these regulations.

To show the necessity of this I will state only one case. A man from another State, knowing our rules, led a suspicious cow to the State line in the night, a Vermont party being there to purchase. This cow, in three months, changed owners four or five times, but fortunately was kept by herself with the exception of a few days, when she was in one herd, where, upon a test three months later, four were killed that no doubt contracted the disease while this cow was in the stable, and the injury done cost the State over \$50.

The commission have realized the necessity of a strict quarantine, and have required a permit to enter cattle into the State, and upon arrival, unless a satisfactory test previously made, the cattle to be tested by a veterinary acceptable to the commission before the animals were released from quarantine.

Some who have thought best to disregard this rule and have brought in one or more head without either the permit or test have been looked up by the commission and asked to pay a small fine, which has been turned over to the State treasury. This the commission have done, believing it to be the best way for some individuals to remember the laws of the State. All cases coming to our knowledge have been looked after and our rules enforced. By this method many head of cattle that would have done injury to our herds have been kept out.

All the New England States except Connecticut have quarantine regulations; some as strict, but none more so than Vermont.

Several of the Middle and Western States have within the year made and are enforcing strict quarantine regulations of cattle brought to them from New England and New York.

Several complaints have come to the commission from the selectmen of a town, director of a creamery, or from some individuals, when we have felt it our duty to look into the matter, and the commission have in all cases prevailed upon the owner to have the questionable herd tested, and in nearly all cases found the disease, sometimes to an alarming extent.

The commission arranged with the owner of one large herd to have the tuberculin test applied. The owner, perhaps knowing the disease to be there to a considerable extent, although working in every way to rid his herd of the disease, except to have the tuberculin test used, had in the past four years labored in vain, for seventy-eight of the ninety-two head were slaughtered and found diseased. Upon a retest six more were taken, leaving only eight of the herd.

These cattle were kept in a light and well-ventilated stable, and with but a very few exceptions to the inexperienced eye would be considered healthy. They were in fine condition, many of them good beef, yet, upon slaughtering, four-fifths of them were diseased all through.

The commission were informed after the slaughter that the owner had in the past four years quietly buried nearly as many as were killed, in order to keep his herd looking healthy.

Another herd, into which many cattle were imported from time to time, the commission persuaded the owner to have tested. This herd numbered considerably over one hundred head. Among the young cattle we found only one to condemn. The cows were nearly three-fourths diseased. The commission arranged with the owners to quarantine the herd and sell the product out of the State—to the same parties to whom it had been sold for several years—killing many of the most pronounced cases. Some have been slaughtered on a second visit, and the work will be continued until all the diseased ones are stamped out, which will be before many months.

Meanwhile these cows are on a farm by themselves away from all healthy cattle. This arrangement was made by the commission upon condition that the State pay no indemnity for slaughtered cattle.

Many instances could be cited where the cattle owner thought to do better than to use the tuberculin test, but in every case, sooner or later, the fates are against him, and in some quiet spot on the farm the graves can be counted in numbers which shows the herd did not increase even by raising all the calves. The income of the average farmer will not long allow him to continue the business of dairying unless he avails himself of the privileges the State offers him.

The per cent of diseased cattle is greater this year than former years. This is occasioned by testing only where there was a suspicion of disease and more particularly mentioned herds.

The tuberculin test may be relied upon only in experienced hands. Some badly diseased animals will not show a reaction by the injection of so small an amount of tuberculin, but the experienced eye will almost always detect other symptoms after the injection.

The commission require the veterinarians that are employed by the State to inform them of any private tests made that the sale of diseased cattle may be hindered.

Where a test of this kind had been made, eighteen head showed a reaction. The owners were called upon by the commission who offered to take them and slaughter in behalf of the State, but were declined, the owners themselves preferring to dispose of them. After several weeks of delay the cattle were driven to an adjoining town, said to have been sold and were going out of the State. The commission quarantined them and slaughtered without paying any indemnity.

Permits to bring cattle in to pasture without a test and usually without examination have been given to parties in New York, New Hampshire, and on the borders of Massachusetts. But cows coming from the market in Massachusetts for pasture, a test has been required this year, for last season upon test of one carload twelve were returned. Two cows that were slaughtered out of one herd last January were found to have been purchased of a Massachusetts man who had cattle here to pasture last season. The commission did not find the man, but a

relative was found in Vermont who saw fit to pay one-half the appraised value of the cows, which was paid over to the owner of the herd.

More than one thousand head came in to pasture and will be returned at the close of the pasture season. Permits other than pasture permits have been issued for nearly seventeen hundred head to come into the State. All these have been tested except young calves, and these were required to come, as much as possible, from healthy herds.

In the opinion of the commission Vermont is gaining in reputation as a State for healthy cattle, and in many of the towns where all the cattle have been raised tuberculosis does not exist, unless brought in by the purchase of some improved stock.

Some of the larger towns and cities would do well to require of the milkmen that their herds be tested, for there are some localities in Vermont where there is reason to believe tuberculosis exists to some extent. There are some towns that could be named where cattle buyers cease to go to purchase cattle after the first visit.

The belief of some that no disease exists among cattle and by others who possibly may have suspicion, but do not wish to know the fact, aids very much in keeping cattle in circulation in different parts of the State, and does not lessen the distribution of the germs of disease.

#### VIRGINIA.

Virginia has a law for the control of infectious and contagious diseases of live stock, the fourteenth section of which specifies that "tuberculosis shall be classed as a highly contagious and infectious disease." The duty of administering this law is placed with the Board of Control of the Agricultural and Mechanical College, who are "authorized and empowered to establish, maintain, and enforce such quarantine lines and sanitary rules and regulations as they may deem necessary." This board may also cooperate with like officers of other States and the Bureau of Animal Industry in the work against such diseases.

The veterinarian of the Experiment Station, by direction of the board, makes careful examination of animals believed to be affected with any contagious or infectious disease; and, if found to exist, the board establishes such quarantine lines as may be necessary to prevent the spread of any such disease, and to prescribe proper rules and regulations. When this is done, the facts are reported to the Governor, who issues a proclamation making permanent the temporary quarantine and the rules and regulations adopted.

Whenever in the opinion of the board an infectious or contagious disease exists among the live stock of other States or Territories, they shall report the fact to the Governor, who issues a proclamation prohibiting the importation of live stock of the kind diseased into the State, unless accompanied by a certificate of health.

Transportation companies shall not knowingly violate any of the provisions of the act or of the rules and regulations.

It is made the duty of owners or agents to report to the county board of supervisors any animals which they may discover or have

reason to believe are affected with any contagious or infectious disease. The supervisors cause an investigation to be made, and, if they have reason to believe that an animal is so affected, establish a temporary quarantine until the Board of Control takes charge of the matter.

No one having an animal so diseased, knowing it to be so, shall permit it to run at large or allow it to come in contact with animals not diseased, or shall ship, drive, sell, or give it away.

The general penalty for violation of any of the provisions of this act or of any of the rules and regulations of the Board of Control is a sum not less than \$10 nor more than \$100.

#### LAW.

AN ACT to provide for the protection of domestic animals, and to authorize and empower the Board of Control of the Experiment Station of the Virginia Agricultural and Mechanical College at Blacksburg to establish live-stock quarantine lines, rules, and regulations, and to prescribe penalties for violating the same.

1. *Be it enacted by the General Assembly of Virginia*, That it shall be the duty of the Board of Control of the Experiment Station of the Virginia Agricultural and Mechanical College at Blacksburg to protect the domestic animals of this State from all contagious or infectious diseases of a malignant character, whether said diseases exist in the State or elsewhere, and for this purpose they are hereby authorized and empowered to establish, maintain, and enforce such quarantine lines and sanitary rules and regulations as they may deem necessary. It shall also be the duty of said board to cooperate with live-stock quarantine commissioners and officers of other States and Territories, and with the United States Secretary of Agriculture, in establishing such interstate quarantine lines, rules, and regulations as shall best protect the live-stock industry of this State against Texas, or splenic, fever. It shall be the duty of said board, upon receipt of reliable information of the existence among the domestic animals of the State of any malignant disease, to cause the veterinarian employed at said Experiment Station to go at once to the place where any such disease is alleged to exist and make a careful examination of the animals believed to be affected with any such disease, and ascertain, if possible, what, if any, disease exists among the live stock reported to be affected, and whether the same is contagious or infectious; and if said disease is found to be of a malignant, contagious, or infectious character they shall direct and enforce such quarantine lines and sanitary regulations as are necessary to prevent the spread of any such disease. And no domestic animal infected with disease, or capable of communicating the same, shall be permitted to enter or leave the district, premises, or grounds so quarantined except by authority of the said board or its veterinarian. The said board shall also from time to time give and enforce such directions and prescribe such rules and regulations as to separating, feeding, and caring for such diseased and exposed animals as they shall deem necessary to prevent the animals so affected with such disease, or capable of communicating disease, from coming in contact with other animals not so affected. And the said board and its veterinarian are hereby authorized and empowered to enter upon any grounds or premises to carry out the provisions of this act.

2. When the said board shall have determined the quarantine lines and other regulations necessary to prevent the spread among domestic animals of this State of any malignant, contagious, or infectious disease found to exist among the live stock of this State or elsewhere, and given their orders as hereinbefore provided, prescribing quarantine and other regulations, they shall notify the Governor of

the State, who shall issue his proclamation, proclaiming the boundary of such quarantine around such diseased stock, and the orders, rules, and regulations prescribed by the board; and said board shall give such notice as to it may seem best to make the quarantine established by them effective.

3. The said board shall have power to carry into full effect all orders by them given, as hereinbefore provided, and the expense incurred by it shall be paid out of the Treasury of the State on warrants drawn by the chairman of said board: *Provided*, That no expense shall be incurred except such as may be necessary to carry into effect the necessary quarantine and other regulations prescribed by said board. And said board shall have the power to direct the veterinarian employed at said experiment station to assist it in the investigation of the diseases amongst the live stock of this State whenever they may deem his services necessary: *Provided*, That no compensation shall be paid said veterinarian other than his actual expenses while engaged in such duties.

4. When the said board shall have good reason to believe that the health of the live stock of the State is endangered by the existence of contagious and infectious diseases in certain localities in other States, Territories, or counties, or that there are conditions which render such domestic animals from such infected districts liable to convey such disease, they shall notify the Governor, who shall by proclamation prohibit the importation of any live stock of the kind diseased into the State, unless accompanied by a certificate of health given by a properly authorized veterinarian, and all such animals arriving in this State shall be examined immediately by a veterinarian designated by the board, and if in his opinion there is any danger from contagion or infection, they shall be placed in close quarantine at the expense of the owner until such danger of infection or contagion is passed, when they shall be released by order of the said veterinarian.

5. It shall be the duty of the railway corporations doing business in the State to cleanse and disinfect the cars used by them in transporting live stock in or through this State at such times and places, and in such manner as the board may designate, whenever, in the opinion of the board, any such order may be necessary to prevent the spread of infectious or contagious disease. Any such corporation violating the provisions of this section shall be liable to a penalty of \$500 for each offense, to be recovered in a civil action to be prosecuted under the direction of the Attorney-General in the name of the Commonwealth of Virginia.

6. Any railroad company, navigation company, or other corporation or common carrier who shall knowingly or wilfully violate, disregard, or evade any of the rules or directions of the board or veterinarian, establishing or governing quarantine, or who shall evade or attempt to evade, any quarantine proclamation of the Governor of this State declaring quarantine limits, upon conviction thereof shall be fined not less than \$500 nor more than \$5,000 for each and every offense, and shall be liable for all damages caused to any live stock by its failure to comply with the requirements of this act.

7. It shall be the duty of any owner or person in charge of any domestic animal or animals who discovers, suspects, or has reason to believe that any of his domestic animals or domestic animals in his charge are affected with any contagious or infectious disease to immediately report such fact, belief, or suspicion to the said board and to the chairman of the board of supervisors of the county in which said domestic animals are found.

8. The board of supervisors of each county, whenever any cases of contagious or infectious diseases are reported to them in their county, shall immediately investigate the same. The investigation may be made by the board or any member thereof, or by the employment of a qualified veterinarian; and should such investigation show a reasonable probability that a domestic animal is affected with a contagious or infectious disease, the supervisors shall immediately establish such temporary quarantine as may be necessary to prevent the spread of the disease,

and report all action taken to the Board of Control of the Experiment Station of the Virginia Agricultural and Mechanical College and Polytechnic Institute at Blacksburg, or some member thereof; and the acts of the supervisors establishing temporary quarantine shall have the same force and effect as though established by the Board of Control itself, until such time as the said Board of Control shall take charge of the case or cases. And that the board of supervisors of each county be hereby authorized and empowered to quarantine against any other county in the State of Virginia on account of Texas, or splenic, fever or parasites, which may convey said disease, under the supervision of the Board of Control of the Virginia Agricultural Experiment Station, or its veterinarian. Before establishing such county quarantine the board of supervisors shall advise with the Board of Control or its veterinarian, and the county quarantine established by the board of supervisors shall conform to the rules and regulations which may be prescribed by the Board of Control or its veterinarian. It shall be the duty of the board of supervisors to rigidly enforce any such quarantine established in their county, and all expenses incurred by said supervisors in carrying out such quarantine shall be paid in like manner as other expenses incurred by said supervisors in the discharge of their official duties. The quarantine established against other infected counties may be so established without proclamation by the Governor.

9. Any person who shall knowingly bring into this State any domestic animal which is infected with any contagious or infectious disease, or any animal which has been exposed to any contagious or infectious disease, or which bears upon its body fever ticks or other germs or causes of disease, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$100 nor more than \$500.

10. Any person who owns or is in possession of live stock which is reported to be affected with any contagious or infectious disease, or insects which may produce disease, who shall refuse to allow said board, or anyone acting under its order, to examine such stock, or shall hinder or obstruct the said board or appointee in any examination of or 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 \$100 nor more than \$500.

11. Any person who shall have in his possession any domestic animal infected with any contagious or infectious disease or fever ticks, knowing such animals to be affected, who shall permit such animal to run at large, or who shall keep such animal where other domestic animals not affected by or previously exposed to such disease may be exposed to its infection or contagion, or who shall ship, drive, sell, trade, or give away such diseased 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 the Board of Control, establishing and regulating live stock quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$10 nor more than \$100 for each of such exposed or diseased domestic animals which he 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 contagious or infectious disease may dispose of the same after having obtained from the said board or veterinary surgeon a bill of health for such animal or animals.

12. The said board shall have power to call upon any sheriff or deputy sheriff or constable to execute their orders, and such officer shall obey the orders of said board, and the officer or officers performing these duties shall each be entitled to \$1.50 per day for himself and horse, which payment shall be made upon a sworn account, approved by said board, provided said expenses under this section shall not exceed in any event \$500 per annum.

13. Except as otherwise provided in this act, any person who shall violate, disregard, or evade or attempt to violate, disregard, or evade any of its provisions, or who shall violate, disregard, or evade or attempt to violate, disregard, or evade any of the rules, regulations, orders, or directions of the said board establishing and governing quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$10 nor more than \$100.

14. *Be it further enacted*, That the disease known as tuberculosis shall be classed as a highly contagious and infectious disease, and such measures shall be taken by the board and its authorized veterinarian as to them may seem necessary to eradicate and prevent the spread of said disease.

15. This act shall be in force from its passage.

#### WASHINGTON.

The enforcement of the laws of Washington against contagious and infectious diseases is in the hands of the State Veterinarian, who is appointed by the regents of the State Agricultural College. This veterinarian has supervision of all cases of contagious or infectious diseases of animals within the State or which may be in transit through it; he may also quarantine diseased or exposed animals, and, with the concurrence of the State Board of Health, of which he is a member *ex officio*, make rules and regulations to prevent the spread or suppression of contagious or infectious diseases.

The veterinarian is directed to respond to any call by any local board of health, county commissioners, or city council, or appoint a substitute.

Whenever in the judgment of the veterinarian any stock is affected with a contagious or infectious disease, and the owner of the same will not consent to their destruction, he shall notify the Governor, who appoints an arbitration board.

The Governor and State Veterinarian are authorized to cooperate with the Bureau of Animal Industry for the purposes of the act.

#### LAW.

AN ACT providing for the creation of the office of the State Veterinary Surgeon and defining his duties. (Approved March 22, 1895.)

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. There shall be and hereby is created the office of State Veterinarian, which office shall be vested in the professor of veterinary science of the Agricultural College and Experiment Station, who shall be chosen in the same manner as other members of the faculty and station staff of said college and station, and shall serve as State Veterinarian without compensation in addition to the salary paid by the college and experiment station. The Veterinary Surgeon shall be a graduate of some regular and established veterinary college and shall be skilled in veterinary science. He shall be a member of the State Board of Health, which membership shall be in addition to that now provided for by law. He shall be under the direction of the president of the State Agricultural College and director of the Experiment Station and School of Science, and perform such duties as the board of regents may prescribe. When actually engaged in the discharge of his official duties outside the said college and experiment station he shall receive, in



addition to his salary, actual transportation expenses, which shall be presented to the president of the college under oath and covered with written vouchers before receiving the same. He shall receive as salary such compensation as the regents of the State Agricultural College may determine.

SEC. 2. He shall have general supervision of all contagious and infectious diseases among the domestic animals within or that may be in transit through the State, and he is empowered to establish quarantine against animals thus diseased or that have been exposed to others thus diseased, whether within or without the State, and may, with the concurrence of the State Board of Health, make rules and regulations such as he may deem necessary for the preservation against the spread and for the suppression of said disease or diseases, which rules and regulations, after the concurrence of the Governor, shall be published and enforced; and in doing said things he shall have the power to call on any one or more peace officers, whose duty it shall be to give all assistance in their power.

SEC. 3. Any person who wilfully hinders, obstructs, or resists said Veterinary Surgeon or his assistants, or any peace officer acting under him or them when engaged in the duties or exercising the powers herein conferred shall be guilty of a misdemeanor, and punished accordingly.

SEC. 4. Whenever a majority of any board of health, county commissioners, city council, trustees of incorporated towns or townships, whether in session or not, shall, in writing or by telegraph, notify the State Veterinary Surgeon of the prevalence of or probable danger from any of said diseases, he shall at once repair to the place designated in said notice and take such action as the exigencies may demand, and he may in case of emergencies appoint substitutes or assistants, with equal powers, whose compensation shall be \$5 per day and actual traveling expenses.

SEC. 5. Whenever in the opinion of the State Veterinary Surgeon the public demands the destruction of any such stock under the provisions of this act, he shall, unless the owner or owners of such stock consent to such destruction, notify the Governor, unless in his judgment immediate action is necessary. The Governor may appoint one or more competent veterinary surgeons to act in conjunction with the State Veterinary Surgeon, and no stock shall be destroyed except on the written order by the State Veterinary Surgeon. The Governor of the State with the State Veterinary Surgeon may cooperate with the Government of the United States for the objects of this act, and the Governor is hereby authorized to receive and receipt for any money receivable by this State through 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.

#### REGULATIONS.

Regulations for controlling contagious diseases in animals in the State of Washington, under the provisions of Section 2, Chapter 167, of the Session Laws of 1895:

1. All cattle brought into this State must have been, within three months prior to their importation, submitted to the tuberculin test, from which no reaction occurred, which shall be certified to by a competent veterinarian.

2. [Refers to the dipping of sheep.]

3. [Refers to importation of pigs.]

S. B. NELSON,  
*State Veterinarian.*

Concurred in by the State Board of Health:

J. B. EAGLESON, *President.*  
G. S. ARMSTRONG, *Secretary.*

Approved:

J. H. MCGRAW, *Governor.*

## WEST VIRGINIA.

West Virginia has no specific laws relative to tuberculosis; legislation bearing indirectly upon the subject is embodied in the act concerning contagious diseases among domestic animals, which is published below.

This law places the duty of its enforcement upon the President of the State Board of Agriculture, who is empowered to quarantine animals, buildings, and farms, and to prevent the movement of objects likely to convey disease; also, with the approval of the State Board of Agriculture, to make rules and regulations for the government of the quarantine. Violations of the provisions of the quarantine are punishable by imprisonment not exceeding three months, or by fine not exceeding \$100, or by both fine and imprisonment.

Animals may be killed to prevent the spread of disease, after appraisalment by three disinterested persons, who shall take into consideration the condition of the animals at the time when the appraisalment is made, and the owner of animals so destroyed shall receive from the Secretary of the State Board of Agriculture a certificate of value in accordance with the appraisalment, subject to the approval of the board. The holders of such certificates are paid their value at the end of the year, provided the total amount does not exceed \$3,000, "which amount shall be paid pro rata at the end of each fiscal year on order signed by the President and Secretary of the State Board of Agriculture."

## LAW.

AN ACT to prevent the spread of contagious diseases among domestic animals. (Passed February 24, 1899. In effect ninety days after passage.)

*Be it enacted by the Legislature of West Virginia:*

That Chapter 9 of the Acts of 1897 be amended and reenacted, with additional sections thereto, so as to read as follows:

SECTION 1. That when it shall be brought to the notice of the President of the State Board of Agriculture that any contagious or infectious disease, not otherwise provided for by law, prevails among domestic animals, he shall take such measures to prevent its spread as may be deemed expedient, and for this purpose shall have power to place infected animals, herds, buildings, and farms in quarantine and to prevent the movement of animals or objects likely to convey the contagion, except under proper permits, and, with the consent and approval of said board, to make such rules and regulations for the government of such quarantine as may be deemed necessary to effectively carry out the provisions of this act.

SEC. 2. That any person or persons who shall willfully or intentionally interfere with any officer or officers duly authorized to carry out the provisions of this act, or who shall willfully or intentionally violate the provisions of the quarantine authorized by Section 1 of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be liable to an imprisonment not exceeding three months, or a fine not exceeding \$100, or both, at the discretion of the court.

SEC. 3. That when, in the judgment of the President of the Board, public interest and safety demand it, he may give written authority to any consulting veteri-

narian of the board, who shall be a graduate of some reputable veterinary college, or he may go in person, taking such veterinarian with him, to examine any animal or animals or any buildings or farms suspected, and the decision of such veterinarian, or the President of the Board and veterinarian acting together, after proper examination, and under the provisions of this act, and such rules and regulations as the board may prescribe, shall be final, and the veterinarian or the President of the Board and the veterinarian acting together shall proceed to quarantine, to destroy, to order burned or buried, or to take any other action authorized by this act and the rules of the said board.

It is hereby made the duty of the veterinarian having charge of any case, or the President or veterinarian acting together, to make a full and complete report of the same in writing to the Secretary of said board under such rules and in such form as may be by it required.

For such services the President and veterinarian shall each receive a per diem of \$4 per day and actual expenses while so engaged, which shall be paid out of current appropriations made for the enforcement of this act and on order signed by the President and Secretary of the board.

SEC. 4. That when it shall be found necessary or expedient to kill any animal or animals to prevent the spread of contagious or infectious diseases, it or they shall first be appraised by three disinterested and sworn appraisers, who shall have due consideration of the actual condition of the animal or animals at the time of appraisement, and the owner or owners of such animal or animals so destroyed shall be entitled to receive from the Secretary of the Board of Agriculture a certificate of value, as appraised by said appraisers, subject to the consent and approval of the said board.

For such services each appraiser shall receive a per diem of \$1 per day, to be paid out of current appropriations made for the enforcement of this act, and on order signed by the President and Secretary of the said board.

SEC. 5. That at the end of each fiscal year the holders of such certificates of value issued by the Secretary of said board shall be paid the same from current appropriations made for the purpose: *Provided*, That the amount to be paid on such certificates in any one year shall not exceed the sum of \$3,000, which amount shall be paid pro rata at the end of each fiscal year on order signed by the President and Secretary of the State Board of Agriculture.

SEC. 6. That for the economical eradication of contagious or infectious diseases of domestic animals the President of the State Board of Agriculture shall have power, with the consent and approval of said board, to arrange for and carry into effect terms of cooperation with the proper officers of the National Government.

SEC. 7. That all acts or parts of acts inconsistent herewith are hereby repealed.

#### WISCONSIN.

There is no specific law regarding tuberculosis in Wisconsin; it is treated as one of the "contagious and infectious diseases." The enforcement of laws relative to such diseases appears to be in the hands of a State Veterinarian and the State Board of Health.

Local boards of health shall take cognizance of the existence of contagious and infectious diseases, reporting the same to the State Veterinarian, and order the quarantine of any animal so diseased or exposed to such a disease. The State Veterinarian may also quarantine in like manner. The penalty for violation of the quarantine rules shall be the liability of the offender to all persons injured for the damages sustained and himself forfeit all right to indemnity.

The State Veterinarian may order any animal affected, or suspected of being affected, with any contagious or infectious disease to be slaughtered, after appraisal, in accordance with law. The value of the animal is determined upon its condition at the time the appraisal is made. The amount paid as indemnity by the State is two-thirds of the appraised value, except in cases where it becomes evident that the appraisal is too large. No right to indemnity shall exist in the following cases: (1) For animals owned by the United States, the State of Wisconsin, or any county, city, town, or village in Wisconsin. (2) For animals brought into the State contrary to law or where the owner has failed to comply with the provisions of law. (3) For animals known to be diseased when purchased. (4) For animals known to be diseased at the time of their arrival in the State. (5) For animals which have been exposed wilfully to such diseases or by the negligence of the owner. The slaughtering is done under the direction of the board of health.

The Governor is empowered, upon recommendation of the State Veterinarian, to issue a proclamation prohibiting the entry into the State of any animals affected with contagious or infectious diseases, except under such restrictions as the State Veterinarian may make.

Owners of animals so diseased or their agents are required to report the fact to the local board of health, who reports to the State Veterinarian for his action.

The veterinary laws of Wisconsin, which in general may apply to tuberculosis, are as follows:

#### LAWS.

SECTION 1492, W. S. 1898. The Governor shall, with the advice and consent of the Senate, appoint a competent veterinary surgeon to the office of State Veterinarian; such appointment shall be made for the term of two years and until the qualification of his successor. The person so appointed shall take an oath of office which shall be filed in the office of the Secretary of State. It shall be the duty of such veterinarian to prevent the introduction or spread of contagious and infectious diseases among domestic animals in this State, to cooperate with the State Board of Health in controlling and suppressing such diseases as are common to men and animals or any diseased condition of animals likely to have a deleterious effect upon the general health of human beings, to make such scientific study, investigations, and experiments as he shall deem necessary in relation to the prevention and cure of diseases among animals and extend information concerning the same.

SEC. 1492a, W. S. 1898. The various town, village, and city boards of health shall take cognizance of the existence of contagious and infectious diseases among animals, report all cases thereof coming under their observation in their respective localities to the State Veterinarian and cooperate with him to prevent their spread; any such board or the health officer thereof may order that any animal affected or suspected of being affected with any such disease, or which has been exposed thereto, shall be quarantined, and the removal thereof from any premises where it may be ordered to be kept shall be forbidden. If any such board shall be unable to determine the nature of any disease prevailing among animals, they may request

the State Veterinarian to investigate the same. Said veterinarian may quarantine premises upon which is a domestic animal afflicted with a contagious or infectious disease or that is suspected to be so afflicted or that has been exposed to such disease, and forbid the removal of any such animal or any animal susceptible to such disease therefrom by serving a written order upon the occupant or owner of such premises and by posting a copy of such order at the usual entrance thereto; and if any such disease shall become epidemic in any locality he shall immediately notify the Governor, who may thereupon issue a proclamation quarantining such locality and forbidding the removal therefrom of any animal of the kind so diseased or of any kind susceptible to such disease without the written permission of the State Veterinarian. Any person who shall remove or allow the removal, without such permission, of any animal quarantined under the provisions of this section shall be punished as provided by law, be liable to all persons injured thereby for the damages sustained, and forfeit all right to the indemnity which he might be entitled to under Section 1492b.

SEC. 1492b, W. S. 1898. In case an infectious or contagious disease of a malignant or fatal nature, such as rinderpest, foot-and-mouth disease, pleuropneumonia, anthrax, and Texas fever among bovines, glanders among equines, anthrax in sheep, and other diseases of like nature or fatal tendency shall become or there is good reason to believe that either of them will become prevalent in the community in which any such disease exists, the State Veterinarian may, if in his judgment it shall be necessary, order any diseased animal or animals or any which have been exposed to an infectious or contagious disease to be slaughtered; but if he shall have any doubt concerning the nature of the disease which afflicts any animal or the advisability of slaughtering the same he may call in consultation one or two veterinary surgeons and confer with the State Board of Health, and for the purpose of ascertaining the nature of a disease may order the slaughter of any animal or animals suffering therewith. Whenever such slaughter shall be deemed by him to be necessary the State Veterinarian shall give written notice to the owner, his agent, or the person in whose possession such animal may be, and to a justice of the peace in the county in which the animal may be, of his purpose to order the slaughter thereof, and shall give a description of the animal or animals and state the owner's name if known. Said notice shall be entered upon the docket of such justice, who shall immediately thereafter summon such owner, agent, or possessor and three disinterested citizens of the county, not residents of the immediate neighborhood in which such animal is owned or kept, to appraise the value thereof. Such appraisers shall, before entering upon the discharge of their duty, be sworn by such justice to make a true appraisalment, without prejudice or favor, of the value of such animal, and shall certify in their return that they have seen the appraised animal destroyed. In making appraisalment of a diseased animal the appraisers shall determine its value in the condition in which it is at that time; but the appraised value of a horse afflicted with glanders shall in no case exceed \$50. The slaughter of animals which have been so appraised shall be made under the direction of the local health officer or the chairman of the board.

SEC. 1492c, W. S. 1898. Whenever the State Veterinarian shall have reason to believe that there is danger of the introduction into this State of any contagious or infectious disease prevailing among domestic animals in any locality without the State, he shall immediately investigate the conditions there existing with reference to such danger, and if he concludes that such danger exists shall forthwith so report in writing to the Governor and recommend the adoption of such measures as he may deem necessary; the Governor may thereupon, by proclamation, designate the locality or localities from which danger is apprehended and prohibit the importation therefrom into this State of any animals of the kind diseased, except under such restrictions as the State Veterinarian may make. It shall be the duty of every person who shall have reason to suspect that there is upon his

premises, or upon premises over which he has control, whether as agent or otherwise, any domestic animal afflicted with a contagious or infectious disease to immediately report the fact to the local board of health or some member thereof, and such board or member shall forthwith make report thereof to the State Veterinarian. That officer may enter upon any premises or go into any building or place where he has reason to suspect there may be diseased animals, and may call to his aid, whenever necessary, the sheriff or any constable of the county in which such animals may be, and all such officers when so called upon shall assist the State Veterinarian in the enforcement of the provisions of this and the three preceding sections. All domestic animals in this State, whether here permanently or in transit, are within such sections and the two next following.

SEC. 1492*d*, W. S. 1898. All claims against the State arising from the slaughter of animals as above provided shall be made by filing with the Secretary of State a copy of the State Veterinarian's notice to the justice of the peace and the return of the appraisers to the justice, which notice and return shall be certified by him. The Secretary of State shall examine these, and if satisfied that the amount awarded is just and that the owner of the animals slaughtered is entitled to indemnity, shall issue his warrant for two-thirds of the sum named in such return; but if he shall have reason to believe that the appraised value is greater than the real value of such animals he shall pay such owner such less sum as he shall deem just: *Provided* That the right to indemnity shall not exist nor shall payment be made in either of the following cases:

1. For animals owned by the United States, this State, or any county, city, town, or village in this State.
2. For animals brought into this State contrary to the provisions of Section 1491 or of the preceding section, or where the owner of the animal or the person claiming compensation has failed to comply with the provisions of Section 1492*b* or of the preceding section.
3. When the owner or claimant, at the time of coming into possession of the animal, knew it to be afflicted with a contagious or infectious disease.
4. When the animal slaughtered was diseased at the time of its arrival in this State.
5. When the owner shall have been guilty of negligence or has wilfully exposed such animal to the influence of a contagious or infectious disease.

#### WYOMING.

Wyoming has no special law relating to bovine tuberculosis. The disease may be dealt with as one of the "cases of contagious or infectious disease among domestic animals." Chapter 10 of the Revised Statutes (1899) embodies the provisions of laws relative to this class of diseases.

It is the duty of the State Veterinarian to investigate all cases of contagious or infectious diseases that may come to his knowledge; to inspect animals coming into the State if they warrant the presumption that they are to remain in the State.

The State Veterinarian has authority to quarantine infected premises. If a disease becomes epidemic the Governor shall issue a proclamation forbidding animals so diseased from being moved without a certificate from the State Veterinarian showing that they are healthy.

The State Veterinarian may slaughter diseased animals, or animals exposed to disease, provided that before slaughtering an animal that

has been exposed to disease the State Veterinarian shall call in consultation two other veterinarians or physicians and shall have their written indorsement that such action is necessary, and also the written consent of the owner of the animal.

Before any animal is slaughtered it is appraised by three disinterested stock owners, who shall certify to the owner the value decided upon. These claims, when approved by the State Veterinarian, are paid by the State Auditor. The amount of the indemnity is two-thirds of the ordinary value of the animal as determined by the appraisers. The right to indemnity is limited to animals having certain kinds of contagious or infectious diseases, and the total amount of indemnity can not exceed the amount appropriated for the purpose.

#### LAWS.

[From the Revised Statutes of Wyoming, 1899.]

SEC. 147. The duties of said veterinarian shall be as follows: To investigate any and all cases of contagious or infectious disease among domestic animals in this State of which he may have knowledge or which may be brought to his notice by any resident in the locality where such disease exists. It shall also be his duty, in the absence of specific information, to make visits of inspection to any locality where he may have reason to suspect that there is contagious or infectious disease; to inspect, under the regulations of this chapter, all domestic animals that may arrive at any railroad station in this State, when these animals are such as to warrant the presumption that they are intended to remain in the State and are to be or may be used for breeding purposes therein. It shall be the duty of the owner, or, in his absence, of the person in charge of such animals so arriving, to notify the State Veterinarian without delay and not to allow such animals or any of them to leave the place of arrival until they shall have been examined by the veterinarian and his certificate obtained that all are free from disease. No animal pronounced unsound by the veterinarian shall be turned loose, removed, or permitted to escape, but shall be held subject to the order of the veterinarian. Any person failing to comply with this provision shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$50 nor more than \$500 for each offense.

SEC. 148. In all cases of contagious or infectious disease among domestic animals in this State the veterinarian shall have authority to order the quarantine of the infected premises, and in case such disease shall become epidemic in any locality in this State the veterinarian shall immediately notify the Governor of the State, who shall thereupon issue his proclamation forbidding any animal of the kind among which said epidemic exists to be transferred from said locality without a certificate from the veterinarian showing such animal to be healthy.

SEC. 149. In any case of epidemic disease where premises have been previously quarantined by the State Veterinarian, as before provided, he is further authorized and empowered, when in his judgment necessary, to order the slaughter of any or all diseased animals upon said premises, and of all animals that have been exposed to contagion or infection, under the following restrictions: Said order shall be a written one and shall be made in duplicate, and there shall be a distinct order and duplicate for each owner of the animals condemned, the original of each order to be filed by the veterinarian with the Governor and the duplicate given to said owner. And, further, before slaughtering any animal, or animal that has been exposed only and does not show disease, the veterinarian shall call in consultation with him two

respectable practicing veterinarians or physicians, residents of the State, or, if this be impossible, then two reputable and well-known stock owners, residents of the State, and shall have the written endorsement upon his order of at least one of said consulting physicians or stock owners, stating that such action is necessary, and the consent of the owner or person in charge, before such animal or animals shall be slaughtered.

SEC. 150. Whenever, as herein provided, the State Veterinarian shall order the slaughter of one or more animals, he shall, at the time of making such order, notify in writing the nearest justice of the peace, who shall thereupon summon three disinterested citizens—who shall be stock owners—of the neighborhood to act as appraisers of the value of such animals. Said appraisers, before entering upon the discharge of their duties, shall be sworn to make a true and faithful appraisal without prejudice or favor. They shall, after making their appraisal, return certified copies of their valuation, a separate one being made for each owner, together with an accurate description of each animal slaughtered—giving all brands, ear-marks, wattles, age, sex, and class, as to whether American, half-breed, or Texas—to the justice of the peace by whom they were summoned, who shall, after entering the same upon his record and making an endorsement upon each, showing it to have been properly recorded, return it, together with the duplicate order of the veterinarian, to the person or persons owning the animals slaughtered, and it shall be the duty of the State Veterinarian to superintend the slaughter of such animals as may be condemned and also the destruction of the carcass, which latter shall be by burning to ashes, and shall include every part of the animal and hide, and also excrement as far as possible. He shall cause the said slaughter and burning to be done as cheaply as practicable, and shall pay the expense from the contingent fund hereinafter provided, taking proper vouchers for the same.

SEC. 151. The State Veterinarian shall make a report at the end of every year to the Governor of all matters connected with his work, and the Governor shall transmit to the several boards of county commissioners such parts of said report as may be of general interest to the breeders of live stock. The Governor shall also give information in writing as rapidly as he obtains it to the various boards of county commissioners of each cause of suspicion or first eruption of disease in each locality, its course, and the measures adopted to check it.

SEC. 152. Whenever the Governor of the State shall have good reason to believe that any disease covered by this chapter has become epidemic in certain localities in another State or Territory, or that conditions exist which render domestic animals liable to convey disease, he shall thereupon, by proclamation, schedule such localities and prohibit the importation from them of any live stock of the kind diseased into this State except under such restrictions as he may deem proper. Any corporation or any person or persons who, after the publishing of such proclamation, shall knowingly receive in charge any such animal or animals from any one of said prohibited districts and transport or convey the same within the limits of this State shall be deemed guilty of a misdemeanor, and upon conviction fined not less than \$1,000 nor more than \$10,000 for each and every offense, and shall further become liable for any and all damages and loss that may be sustained by any person or persons by reason of the importation or transportation of such prohibited animals.

SEC. 153. It shall be the duty of any person or persons who shall have or suspect that there is upon his or their premises any case of contagious or infectious disease among domestic animals to immediately report the same to the State Veterinarian, and a failure so to do, or any attempt to conceal the existence of such disease, or to wilfully or maliciously obstruct or resist the said veterinarian in the discharge of his duty as hereinbefore set forth, shall be deemed a misdemeanor, and any person or persons who shall be convicted of any one of the



above acts or omissions shall be fined not less than \$50 nor more than \$500 for each and every offense; shall forfeit all claims to indemnity for loss from the State, and upon conviction a second time shall, in addition to the above-named fine, be imprisoned for a term not less than thirty days nor more than six months.

SEC. 154. The following regulations shall be observed in all cases of disease covered by this chapter:

First. It shall be unlawful to sell, give away, or in any manner part with any animal affected with or suspected of contagious or infectious disease; and in the case of any animal that may be known to have been affected with or exposed to any such disease within one year prior to such disposal, due notice of the fact shall be given in writing to the party receiving the animal.

Second. It shall be unlawful to kill for butcher purposes any such animal, to sell, give away, or use any part of it, or its milk, or to remove any part of the skin. A failure to observe these provisions shall be deemed a misdemeanor and on conviction shall be punished by a fine not less than \$100 nor exceeding \$500. It shall be the duty of the owner or person having in charge any animal affected with or suspected of any contagious or infectious disease to immediately confine the same in a safe place, isolated from other animals, and with all necessary restrictions to prevent dissemination of the disease, until the arrival of the State Veterinarian.

The above regulations shall apply as well to animals in transit through the State as to those resident therein, and the State Veterinarian or his duly authorized agent shall have full authority to examine, whether in car or yard or stables, all animals passing through the State or any part of it, and, on detection or suspicion of disease, to take possession of and treat and, dispose of said animals in the same manner as is prescribed for animals resident in the State.

SEC. 155. All claims against the State arising from the slaughter of animals under the provisions of this chapter shall, together with the order of the veterinarian and the valuation of the appraisers in each case, be submitted to the State Auditor, who shall examine them without unnecessary delay, and for each one that he finds to be equitable and entitled to indemnity under this chapter shall issue his warrant on the State Treasurer for the sum named in the appraiser's report. All claims for indemnity arising under the provisions of this chapter shall, before they are presented for payment to the Auditor, be submitted to the State Veterinarian, who shall fully inform himself of the facts connected with each claim; if he shall be of the opinion that the claim is legal and just, he shall approve the same in writing indorsed thereon; if he shall be of the contrary opinion, he shall reject it in like manner, and in all cases he shall express in such indorsement the reasons for his approval or rejection, as the case may be. If the State Veterinarian shall reject a claim, it shall then, together with the indorsement of the veterinarian, setting forth his reasons for such rejections, be submitted for determination to a board of arbitration, to consist of three members, which shall be formed as follows: The State Veterinarian shall select as one member of said board one stock grower, who shall be a resident of the county wherein the slaughtered animals for which the claim is made ranged. The claimant shall select as such member of said board another stock grower, who shall be a resident of the same county, and these two so selected shall choose the third member of the board from among the stock growers of the same county. The arbitrators shall have power to appoint a time and place for hearing; to adjourn from time to time; to administer oaths to witnesses; to hear the allegations and evidence of the parties, and to make an award thereon. All the arbitrators shall meet and act together during the investigation; but when met, a majority may determine any question. Before acting, they shall each be sworn, before an officer authorized to administer oaths, faithfully and fairly to hear and examine the allegations and evidence of the parties in relation to the claim in controversy, and to make a

just finding according to their understanding and according to the provisions of this chapter. The award of the arbitrators shall simply be to the effect that they find the claim legal and just according to the provisions of this chapter, or the reverse, as the case may be. The award shall be in writing, signed by the arbitrators, or a majority of them, and shall be forwarded by them, with all the papers submitted to them, to the State Auditor. If the board of arbitrators shall concur with the State Veterinarian in rejecting the claim, their decision shall be final. If the board of arbitrators shall find that the claim is legal and just, then the said claim shall in all respects be held as though the State Veterinarian had in the first place approved the same.

In auditing any claim under this chapter it shall be the duty of the Auditor to satisfy himself that it does not come under any class for which indemnity is refused by this chapter, and he shall require the affidavit of the claimant to this fact, or, if the claimant be not cognizant thereof, then of some reputable person who is cognizant thereof, and the Auditor may, at his discretion, require further proof. The indemnity to be granted shall be two-thirds of the ordinary value of the animal as determined by the appraisers, without reference to its diminished value because of being diseased. It shall be paid to the owner upon his application and the presentation of the proofs prescribed herein; and it shall be the duty of said owner to make such application within six months of the slaughter of the animal for which payment is claimed, failing which such claim shall be barred by limitation.

These payments shall be made by the State Treasurer, as before provided, and from the fund provided by this chapter.

The right to indemnity under this chapter is limited to animals destroyed by reason of the existence or suspected existence of some epizootic disease, generally fatal and incurable, such as rinderpest, hoof-and-mouth disease, pleuropneumonia, anthrax, or Texas fever, among bovines, glanders among horses, and anthrax among sheep. For the ordinary contagious diseases not in their nature fatal, such as scab and hoof rot in sheep, and epizootic influenza in horses, no indemnity shall be paid.

The right to indemnity shall not exist and payment of such shall not be made in the following cases:

First. For animals belonging to the United States.

Second. For animals that are brought into the State contrary to the provisions of this chapter.

Third. For animals that are found to be diseased or that are destroyed because they have been exposed to disease before or at the time of their arrival in the State.

Fourth. When an animal was previously affected by any other disease which from its nature and development was incurable and necessarily fatal.

Fifth. When the owner or person in charge shall have knowingly or negligently omitted to comply with the provisions of the last two preceding sections.

Sixth. When the owner or claimant at the time of coming in possession of the animal knew it to be diseased, or received the notice specified in the first clause of the last preceding section.

SEC. 156. Each member of boards of arbitration formed and acting under the provisions of this chapter shall receive for their services the sum of \$5 per day for each day they may be actually engaged and employed in the investigation of any claim, and shall be paid by the State Veterinarian out of the "veterinarian contingent fund."

SEC. 157. The State Veterinarian shall receive for his services the sum of \$1,200 per annum, together with his actual necessary traveling expenses when in the performances of his duty, provided said actual necessary traveling expenses shall not exceed \$750 per annum.

The veterinarian is hereby authorized, in his discretion, to appoint a deputy, for the performance of whose duties the veterinarian shall be responsible, and who shall exercise such powers as may be deputed to him by the State Veterinarian. Such deputy shall receive not exceeding \$4 per day for the time actually employed. The appraisers herein provided for shall each receive \$5 for each day or part of day they may be actually employed as such, which shall be paid from their county fund upon the certificate of the justice who summoned them. The justice shall receive his ordinary fee for issuing a summons, to be paid out of the county fund. The members of the board of health, veterinarians, physicians, or stock owners, called in consultation by the veterinarian, shall each receive \$5 for each day or part of day they may actually be so employed, and 10 cents per mile mileage for distance actually traveled, which sums shall be paid from the veterinarian's contingent fund hereafter provided. For this and other incidental expenses connected with his work, and made his duty by this chapter, such as his traveling expenses, causing animals to be slaughtered and their carcasses burned, and disinfecting infected premises, the veterinarian shall have at his disposal the sum of \$1,200, which shall be known as the veterinarian's contingent fund. Before entering on the discharge of his duties he shall give good and sufficient security in the sum of \$5,000 for the proper management of the same. He shall make a sworn statement semiannually to the Governor, supported by full vouchers of the amount disbursed; and any part of the \$1,200 not used shall be covered into the State Treasury.

SEC. 158. The State Auditor shall pay no claim for indemnity under this chapter which shall have been rejected by the State Veterinarian, unless the same shall have been submitted, as hereinbefore provided, to a board of arbitration and by such board decided to be legal and just. If any claimant shall refuse to submit his or her claim, which shall have been rejected by the State Veterinarian, to a board of arbitration as hereinbefore provided, such refusal shall be deemed conclusive evidence of a waiver of all claim for indemnity under the provisions of this chapter.

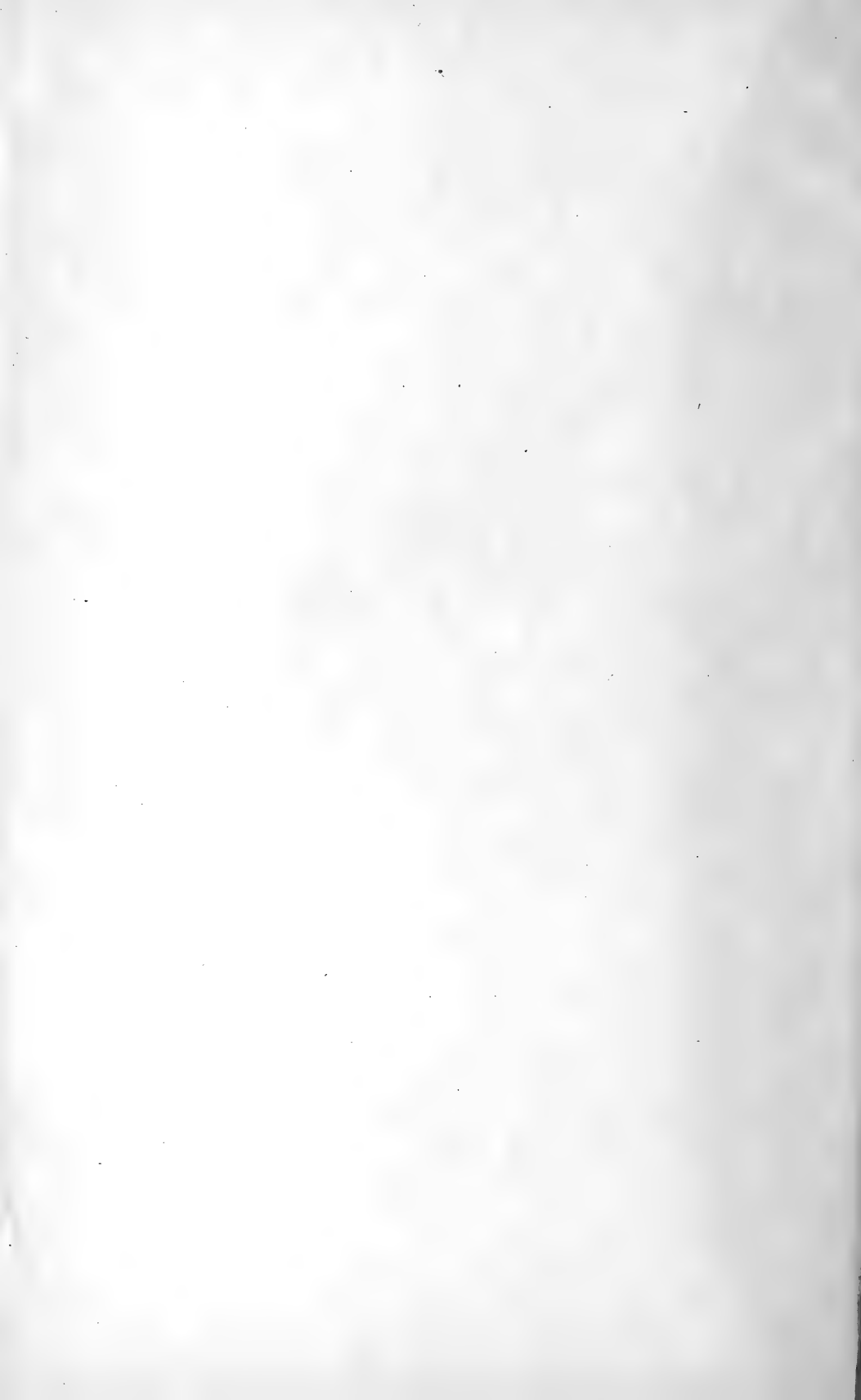
SEC. 159. The liability of the State for indemnity for animals destroyed under the provisions of this chapter in any two years is limited by and shall in no case exceed the amount especially appropriated for that purpose and for that period.



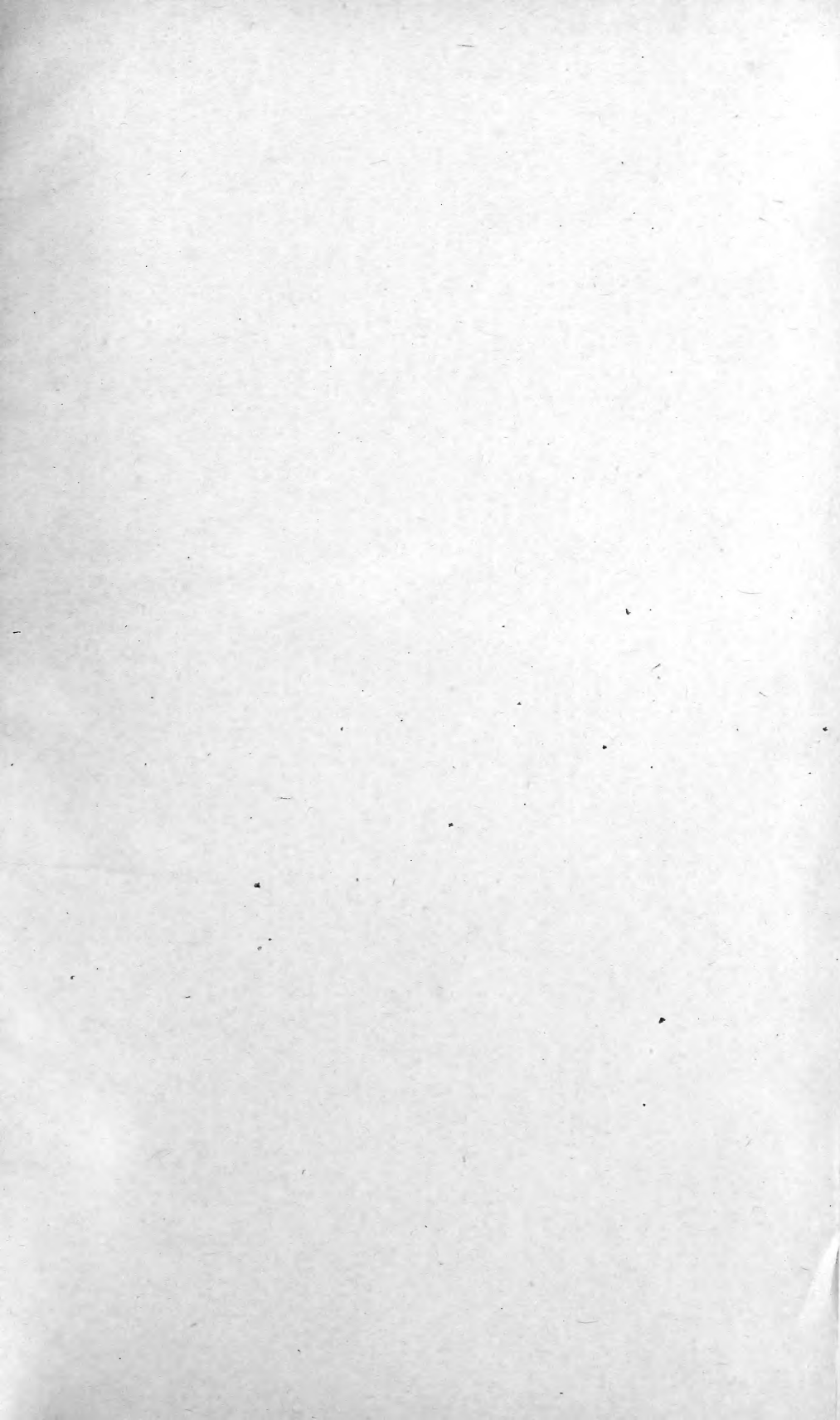


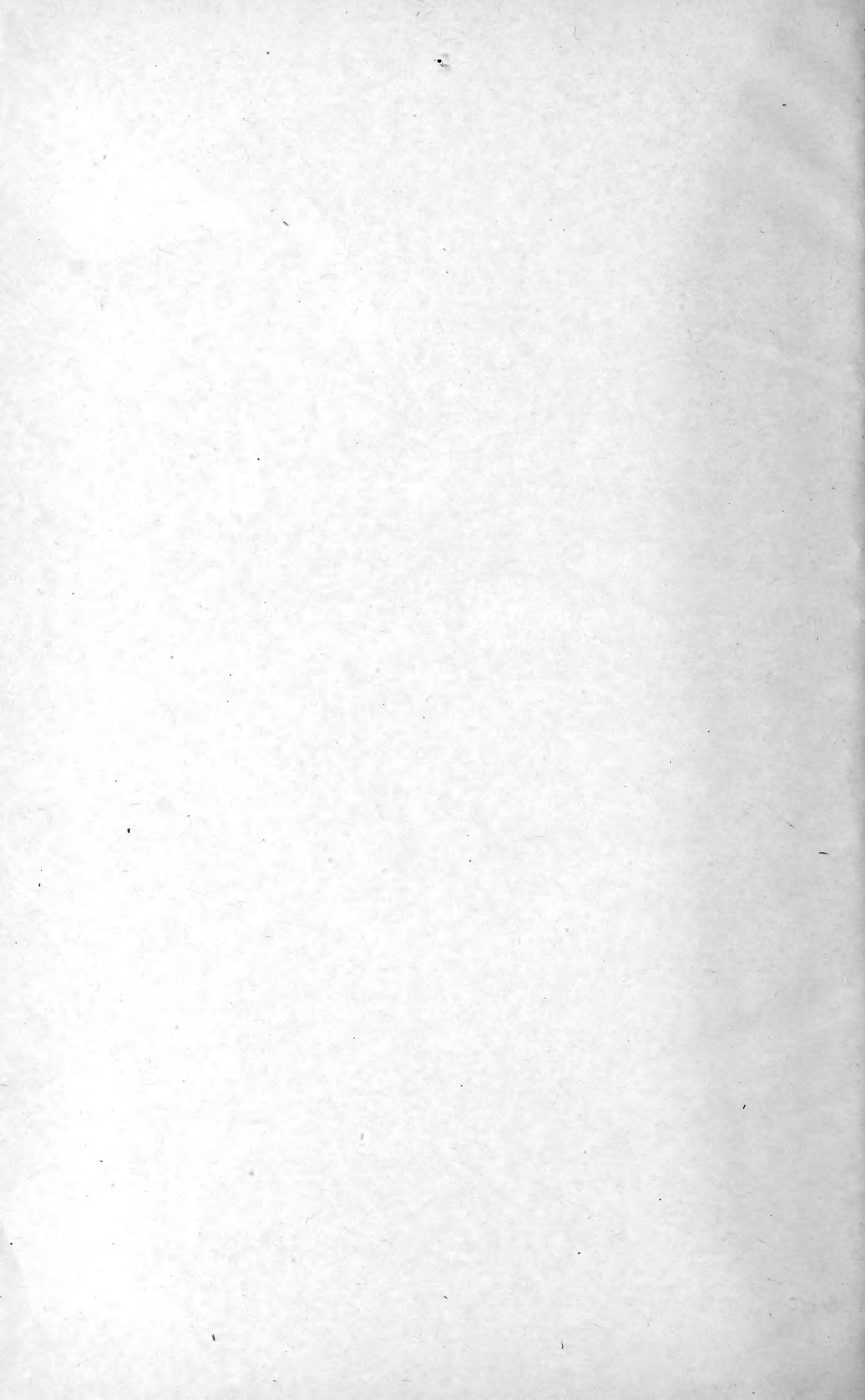














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