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BIENNIAL REPORT

OF THE

KANSAS

LIVE-STOCK SANITARY COMMISSION.

1897-'98.

JOHN BRYDEN, *Chairman.*
TAYLOR RIDDLE, *Secretary.*
J. B. BEAL.

TOPEKA:
J. S. PARKS, STATE PRINTER.
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REPORT.

To his Excellency, the Governor of Kansas:

SIR—In compliance with section 2, chapter 142, of the General Statutes of 1897, we, the Live-Stock Sanitary Commission of the state of Kansas, have the honor to submit to your consideration our biennial report for the years 1897 and 1898.

On the 25th day of March, 1897, the time of J. I. Brown, member of this Commission, having expired, Taylor Riddle, who had been previously appointed by the governor and confirmed by the senate, took his place. The Commission then consisted of Frank Weinshenk, J. W. Johnson, and Taylor Riddle, and proceeded to reorganize by electing Frank Weinshenk Chairman and Taylor Riddle Secretary.

It will be seen by this report for the year 1897 that the live stock of our state has been comparatively free from infectious or contagious diseases, especially when the fact is taken into consideration that many more cattle were admitted into the state in the year 1897 than in any other year since this Commission was created. From February 1 to November 15 there was admitted into the state for grazing and feeding purposes, by affidavits, and permits issued, 424,249 cattle, against 183,845 during the year 1896. Of the number admitted, there were from Texas 233,444; Arizona, 82,048; New Mexico, 29,819; Old Mexico, 31,890; Missouri, 7351; Oklahoma, 30,497. This does not include cattle which came through La Junta after June 17, as no inspector was maintained at that station after that date.

There was an outbreak of Texas fever on the ranch of C. P. Dewey, at Manhattan, Kan., which caused nearly 3000 head of cattle to be placed in quarantine. He lost a total of ninety-three head of cattle.

On August 19 an outbreak of Texas fever occurred near Hoyt, in Jackson county, which caused 1250 head of cattle to be placed in quarantine. On September 1 another outbreak of Texas fever occurred in the same county, and 690 more cattle were quarantined, making in all 1940 head. The last-named cattle were released from quarantine October 19, thirty-three head having died. No information could be gained where these cattle contracted the fever.

We are confident, from information gathered from settlers along the southern border of the state between the stations of Caney, in Montgomery county, and Baxter Springs, in Cherokee county, a distance of about seventy-five miles, that in the past the quarantine

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regulations have been continually violated by parties smuggling herds of cattle across quarantine line into Kansas from the Indian territory. In order to break up this practice and protect the honest cattle dealers of our state, special attention has been given this locality, resulting in the arrest and conviction of a number of persons.

Many of the cases of Texas fever which have occurred in the past and could not be accounted for we are now satisfied were smuggled in along this line, shipped to the native divisions of the Kansas City stock-yards from some station in the healthy area, and from the Kansas City stock-yards distributed to feeders and grazers of Kansas, thereby spreading the disease.

Much assistance was rendered this Commission in preventing violation of the quarantine law by the cattlemen of Kansas. Buyers, shippers and sellers have been very careful in handling Southern and Western cattle, and look closely after their permits and clearance papers, and also reported to this Commission any attempt on the part of others to evade or violate any of the quarantine rules and regulations. To this fact and others is due in a great measure the successful handling of such vast herds with so little loss. Perfect harmony exists between this Commission and the government department, presided over by Albert Dean, located at the Kansas City stock-yards. Co-operating one with the other, great and lasting benefits have accrued to both departments.

On April 1, 1898, the term of J. W. Johnson as member of this Commission having expired, the governor appointed John Bryden to succeed him. He took his place on the Commission on the above-named date and commenced to discharge the duties of his office.

On April 12 the board was reorganized. Frank Weinshenk was elected Chairman and Taylor Riddle Secretary. On July 5 the board was again reorganized, and the following resolutions were passed:

Since this is the third meeting of the Commission from which Chairman Frank Weinshenk has absented himself, and has given no reasons therefor:

Resolved, That we declare the office of chairman, heretofore occupied by Frank Weinshenk, vacant.

Upon motion, John Bryden was elected to fill the vacancy.

On July 26 Frank Weinshenk resigned his position as member of this Commission, and early in September J. B. Beal, of Grainfield, was appointed to fill the vacancy, and as organized in July the board continued until the end of the year.

It will be seen by reading this report that the state has been comparatively free from contagious or infectious diseases, which the board thinks is largely due to the care taken in not allowing any cattle to come from an infected territory without a careful examination and inspection.

During the early part of the present year considerable friction occurred between members of the Board upon the question of inspecting cattle from the suspected territory where Texas fever has been known to exist. But the inspection idea was fully carried out, and no cattle from the territory described in rules and regulations where the disease of Texas fever existed were allowed to come into Kansas without the above-mentioned inspection. Inspectors were employed and stationed as follows: William Cooper was employed and stationed at Raton, N. M., whose duty it was to inspect all cattle coming from New Mexico, Arizona, southern California, northwestern Texas, and Old Mexico. A. L. Mason was employed and stationed at Kiowa, Kan., whose duty it was to inspect all cattle coming over the Santa Fe railway from the Oklahoma territory and central and northern Texas. J. F. Williams was employed and stationed at Fort Worth, Tex., to inspect all cattle coming north of government quarantine line in the state of Texas and the republic of Mexico. The object in locating Mr. Williams at Fort Worth was that a native division is maintained there, it being the only native division maintained south of government quarantine line. This became necessary on account of the direction in which the railroads run through Texas, crossing government quarantine line, going from above the line to below the line, carrying in transportation cattle from the points north of quarantine to points in Kansas.

By maintaining the native division at Fort Worth, a shorter haul was made for a number of shippers, and cattle were able to reach destination in many hours' less time. Besides, three great railway lines radiate from Fort Worth to points in Kansas, making it easy for shippers to reach any point in our state from there.

J. G. McCoy was located and employed at the Kansas City stockyards to closely observe and inspect all cattle coming from those yards to points in Kansas, issue health bills for same, and take up and keep close record of such papers as the cattle carried with them. All the inspectors named were required to take up affidavits and other papers accompanying the cattle, and issue permits for them to enter the state, when, after a close examination, they were found entitled to do so, make monthly reports of origin and destination of all cattle so inspected, transmitting the same to this office for final record. In this way a perfect history of each steer coming into the state from the south or west is kept, and should a case of Texas fever or any other disease break out among the cattle of the state it is found easy to trace the origin of the disease and locate the responsibility.

Besides the inspectors above named, local inspectors were employed at Caldwell, Kan., to inspect the cattle coming from points south over the Rock Island. Mr. Dan M. Cunningham, of Coffeyville, and E.

C. Collins, of Baxter Springs, were also employed, whose duty it was to guard the quarantine line and prevent smuggling of cattle across said line, thereby bringing in Texas fever to endanger the lives and health of the herds of the Kansas stockmen.

One of the important things accomplished by the Commission and its system of inspection was that not a single case of Texas fever succeeded in getting into the state nor a single infectious steer succeeded in crossing the line and passing these inspectors after they were placed at their various positions and assumed the duties of their office.

The only cases of Texas fever that were reported in the state were from cattle that came in during what is known as the open season or from smuggled cattle. With this splendid record behind them, the Board feels justified in asserting that the only way to keep and preserve the great live-stock interests of the state free from disease is by a careful inspection of all cattle desiring to enter the state from the south and west; and in pursuance of this policy, the above record seems to justify the assertion that the only positive safety to the cattlemen of Kansas is a close and personal inspection—such a one as has been maintained by this Commission. Below we give a summary of the outbreaks of fever and other diseases in the state.

Outbreaks of Texas fever occurred in Greenwood, Butler, Sumner, Montgomery, Chautauqua, Anderson, Cherokee and Linn counties. Total losses from above-named outbreaks was 169 head. Cattle causing these outbreaks either came in during the open season or were smuggled in across quarantine line, contrary to law, with the exception of that of the outbreaks in Linn county, where twenty-seven head died. The cattle causing this outbreak were shipped from the Kansas City stock-yards, and it was impossible to trace their origin farther back than that. And in Greenwood county the outbreak may have been caused by shipment in infected cars, though its origin is not certainly known. Twenty head of cattle died from this outbreak.

In Cherokee county is a strip of territory lying along Spring river which is very favorable for the Texas tick to mature and live through the most extreme weather—this territory embracing the townships of Lowell, Garden, and Spring Valley, which join the Missouri state line on the east and the Indian territory on the south. More or less fever infection has existed in this locality ever since the establishment of quarantine regulations. During the two years which this report covers, the Sanitary Commission has maintained a special quarantine around this locality, and not allowed cattle from within the territory to pass to points in Kansas without. Neither have we allowed cattle from the Indian territory to come into these townships, nor from the

state of Missouri. Nevertheless, considerable Texas fever existed in this territory during the present year, as in the past.

Losses from other diseases of cattle than Texas fever, that came under the direct supervision of this Commission, are as follows: Elk county, sixty-eight; Wilson county, twenty-five, and Greenwood county, seven; making a total of 100. Symptoms, and measures taken by the Board, were as follows: June 2, 1898, the Commission was notified that a number of cattle had died in a large herd in a pasture in the northeastern part of Elk county. The herd consisted of 1432 head of cattle, having twelve different owners, residing in Elk, Wilson and Greenwood counties. One hundred and fifty of these cattle, while in the feed lot, from Wilson county, lost nine head, and since being placed in the Elk county pasture, April 25, twenty-two head of the said cattle had died, and ten head of the other cattle comprising said herd had died, all substantially with the same symptoms—great restlessness, bawling distressfully, fighting other animals and various objects, and dying within three to nine days, no well-defined case having recovered. The herd and pasture were placed in quarantine.

Veterinarian Paul Fischer, of the agricultural college, at Manhattan, was called, who gave it as his opinion that the cause of death was impaction of the third stomach, which is non-contagious, but advised quarantine of herd be continued, because there were some things in the history of this case that suggested hydrophobia. As new cases of the disease continue to develop, and as the owners of the cattle occupying adjoining pastures, as well as those owning cattle in the quarantine pasture, were desirous of a close guard of the outside lines of said pasture and the safe confinement of the sick cattle, this Commission, having received assurance from the county attorney of Elk county that the county commissioners of Elk county would pay all legal charges of the sheriff of said county for carrying out the orders of this Commission, ordered said sheriff to hold said cattle, and safely confine all sick cattle, and confine to themselves that part of the herd in which the cattle died in the feed lot, all of which was done. The cattle had been supplied with a large amount of ground rock salt in boxes, which in the rain and sun had become very hard, and it seemed likely that some of the cattle in licking it may have wounded their tongues, and the sick cattle licking with them, if affected with rabies, may have inoculated the others with their saliva through the fresh wounds. About the time of the other changes described, this salt was removed from the pasture. From this time on the losses became fewer, and on October 7, all danger seeming past, the quarantine was dismissed. The total lost in these outbreak was sixty-eight head.

A similar outbreak in another division of the cattle fed in same lot as above and pastured in the western part of Wilson county caused a loss of twenty-five head. In the easterly portion of Greenwood county, in November, in a herd of about sixty cattle, seven died with the same general symptoms as above. A mad dog, it was believed, had bitten these last-named cattle about the middle of September.

The disease of blackleg among young cattle, and especially among calves, not being considered a contagious disease, does not come under the special supervision of this Commission, but, from information gathered, it is believed that the losses from this disease outnumber that of all others combined in this state. A special article, by Veterinarian Paul Fischer, of the agricultural college, in regard to this disease, will be found in another part of this report.

Some idea of the magnitude of the business done by the Board and the inspectors employed by them, and the good accomplished, can be arrived at when the number of cattle that were passed through these various inspection stations is given. The station at Raton, N. M., was opened May 1; that at Kiowa, Kan., on April 24; that at Fort Worth, Tex., on February 15, and Kansas City stock-yards, February 15. Below we give a summary of the number of cattle passing these stations, their origin, and destination:

There were shipped and inspected, through the various stations maintained by us, to points in Kansas, from Texas, 262,340 head; Oklahoma, 86,240; New Mexico, 29,838; Arizona, 65,030; Old Mexico, 9435; Colorado, 1605; Missouri, 3359; California, 2109; making a grand total to points in Kansas of 459,956 head of cattle. This does not include cattle inspected from the Kansas City stock-yards.

Permits were issued for 219,048 cattle permitted to enter Kansas from Kansas City stock-yards over the various railroads leading therefrom, and permits were issued for 22,303 cattle to be driven out, making a total of 241,369 cattle that were permitted from the Kansas City stock-yards shipped and driven to various other points in Kansas.

At the various points where inspection was maintained upon cattle desiring to enter Kansas, more than 2000 head were turned back, or the cars tagged and the cattle sent to the Southern division, on account of being found infectious upon inspection.

In no case were inspectors allowed to issue permits for cattle to enter Kansas without seeing or personally examining each herd, as the Commission believed that permits issued without seeing the cattle were of no value, and if such a policy was indulged in or allowed to exist it would be equivalent to removing all restrictions and allowing cattle to come in without hindrance, and would be no protection whatever to the cattle interests of the state.

RECOMMENDATIONS.

In addition to the report hereby submitted, we offer some suggestions as to changing the laws governing quarantine regulations, and also make some suggestions that we think would be of interest to the cattlemen of the state.

Law Changes.—It is provided in section 2, chapter 142, of the General Statutes of 1897, that the state veterinarian shall be *ex officio* Secretary of this Commission, but as there is now no state veterinarian this part of the law should be amended so that one of the members should be elected Secretary.

As it is often necessary to appoint inspectors to guard against the introduction of live stock into our state that may introduce contagious diseases, and there is no money appropriated by the legislature to pay such inspectors, the Commission should be authorized by law to make a reasonable charge against public carriers and drivers who bring stock into the state requiring to be inspected. Such authority should be carefully guarded, and limited against abuse.

Under our present laws, all expense of quarantining against contagious diseases in our state other than Texas fever is a charge against the state, but no appropriation has been made for this purpose. This should be remedied by making a small appropriation for this purpose, or making it a charge against the county where the outbreak occurs.

Under existing laws, Kansas forbids cattle from south of general Texas-fever quarantine line entering the state, from February 1 to December 1 each year, except for immediate slaughter, implying that December and January are open months to such importations. Several herds of these Southern cattle brought into the state last December caused outbreaks of Southern fever, owing to the mild winter.

It would probably be better to so change the law that the Live-Stock Sanitary Commission could determine when the open season should be, and to what extent it should be open; also, the Commission should be allowed authority to admit properly dipped or other safe cattle during the so-called close season.

Glanders.—The disease of glanders among horses in times past has caused a loss of many thousands of dollars among the farmers and horse owners in the country. In 1885, in the first report issued by the Live-Stock Sanitary Commission, the number of cases of glanders reported during the year previous was 1739, covering sixty-seven counties of the state. Veterinarian Holcomb estimated that probably about one-half of these were not glanders, but some other disease whose outward indications resembled glanders. In addition to this number, the board ordered and caused to be killed and buried more than 100 head of horses. From time to time many cases of glanders

have been reported to the former boards, about twenty cases being reported to this board in the year 1897. By strict quarantine measures established by the board wherever a case of glanders was known to exist, this disease has been reduced to a minimum. Only twelve cases have been reported to the board for the year 1898.

Another splendid illustration of what results from good sanitary regulations can be drawn from this fact: In 1869 more than 10,000 head of cattle died in Kansas from Texas fever. At that time no sanitary regulations existed in the state, and Southern cattle crossed our border without inspection or hindrance, and roamed at will over our vast ranges, carrying death and destruction to all native cattle wherever they came in contact with them. When you compare the year 1869 with the year 1898, when many thousands more cattle came in than there did in 1869, and the losses only reached 169 head, you can form some idea of the good results of safe quarantine regulations. We are justified in the belief that the difference in the death rate among the cattle of the country between 1869 and that of 1898 is due to the stringent sanitary measures that have been established and maintained since 1884. Under the careful management of this Commission, from year to year continued, the cattlemen's interests have been carefully protected.

All of which is respectfully submitted.

JOHN BRYDEN,
TAYLOR RIDDLE,
J. B. BEAL,

Live-Stock Sanitary Commission.

TEXAS FEVER.

This is a specific fever communicated by cattle which have been recently moved northward from the infected district south of quarantine line. The claim that the Southern cattle-tick (*Boophilus bovis*) is the sole transmitter in all outbreaks is supported by numerous experiments. The proofs that have been obtained in all experiments held prove beyond a doubt that the tick is the only efficient agent in producing Texas fever. This is a matter that has been well investigated, and a mass of evidence points to the conclusion that the disease is never transmitted in any other way. The tick infection is not a theory but a settled fact.

SYMPTOMS.

The period after which cattle, when exposed, will show symptoms of the disease varies from thirteen to ninety days. The first noticeable change in the animal is a weakness, dulness, loss of appetite, and tendency to leave the herd and stand or lie down alone. The temperature rises from a normal of 101 to sometimes as high as 107, which temperature will continue with little or no change until recovery or death ensues. The bowels are constipated during the fever. The urine shows nothing abnormal until near the termination, when it may be deeply stained with blood. But of one thing you may be assured, if it is Texas fever the tick is always present, sometimes in large numbers, but frequently only a few will be found. The ticks are usually found on the inside of the thighs and flanks. They are occasionally on the neck, and back of hind quarters. The young ticks are very small and will require a careful examination of the animal to detect them. This is especially true of the ticks on Northern cattle. Symptoms of delirium will be observed in some cases. Death may ensue in from three days to several weeks after the beginning, but usually occurs in from four to seven days.

Owners of herds who observe sick cattle among them with any symptoms herein described will do well to at once examine them for the fever ticks, and if found you may set it down as a case of Texas fever, and notify the Live-Stock Sanitary Commission at once.

BLACKLEG.

Blackleg is an infectious disease that attacks young cattle, and preferably those in good flesh. Like all other infectious diseases, it is caused by a micro-organism, in this case the blackleg bacillus.

This organism propagates either within or outside of the animal body. The soil and climate conditions of certain sections are very favorable for its development. Other sections are very unfavorable for its development.

Blackleg does not usually spread from one animal to another, like many other infectious diseases, but all animals in an infected herd become infected from the same source, viz., the soil, or by food contaminated with infected soil. The carcass of an animal that died with blackleg may, however, infect another animal, and it may also permanently infect a district that was before free from the occurrence of the disease, provided soil and climate conditions are favorable for the development of the germ. These statements explain why blackleg occurs in certain districts and not in others, and also why the disease does n't spread over the country like other infectious diseases.

SYMPTOMS.

Infection of an animal always takes place by the entrance of the infectious material into a wound in the skin or mucous membrane of the mouth or intestines, and sometimes even through the lungs.

Anthrax is characterized by its rapid and usually fatally terminating course, the symptoms of fever, the appearance of rapidly developing tumors under the skin, and in many cases a stiff or unnatural gait. Attending the fever may be noticed loss of appetite and rumination, separation from rest of herd, etc.

The characteristic swelling may appear in various parts of the body, especially the upper portions of the legs—the region of the shoulder, neck, and back. Sometimes the swelling appears in the mouth, at the palate or base of the tongue.

At first the swelling is small and painful, but in a short time (within a few hours) it may attain enormous proportions, sometimes affecting nearly the whole body of the animal.

When the hand is passed over the swelling a peculiar and very characteristic crackling sound is produced, which is due to the dry, parchment-like condition of the skin, and the accumulated gases under it. The middle portion of the swelling assumes a dark or blackish color, and when incised it emits a dark red, foamy, ill-smelling fluid. The incision is usually painless, due to the fact that the tissue has become necrotic. One or more of these swellings may be present. As the swelling increases in size the other symptoms usually also increase in prominence and intensity, respiration increases and becomes more difficult, the animals groan, and sometimes show symptoms of colic. As a rule the disease terminates fatally within the first two or three days after the appearance of the first observable symptoms.

TREATMENT.

Medicinal treatment of the disease is practically useless. Nearly all affected animals die. A rational procedure, however, is to make deep incisions (vertical) into the tumors that appear, allow the gaseous and liquid contents (which swarm with disease germs) to escape, and then apply strong antiseptics, like five per cent. solution of carbolic acid. At the least this treatment can do no harm.

Prevention is the all-important treatment for blackleg. Knowing that this disease occurs only in certain districts, and often only in certain fields of a farm (which the germs inhabit permanently), we can prevent the disease by avoiding the use of these fields for pasture purposes. Such fields or farms should be used for the production of cultivated crops. These can then be fed to stock with much greater safety than allowing the cattle to pasture on the fields that produced the crops. Rough fodder, corn-stalks, etc., that can produce the slightest wounds on the skin or mucous membranes of the mouth increase the chance of infection, because infection invariably takes place through such a wound. We have here another indication of how chances of infection may be lessened.

The observance of the precautions above suggested is sufficient on many farms to avoid blackleg altogether. On other farms, and especially on large ranches, these suggestions are very impracticable, and we must look to other methods for a way out of the difficulty. It is a matter of common observation that the few animals that survive an attack of blackleg are seldom, if ever, attacked a second time. Recovery from the first attack produces in them an immunity against future attacks. Whether the first attack was violent or mild, the immunity produced is the same. On this observation is based the theory of protective inoculation, which consists, essentially, in the artificial production of a mild form of blackleg by means of inoculating with a quantity of blackleg germs that have been artificially weakened in their disease-producing power by subjecting them to the action of a high temperature for a certain time.

According to the first experimenters along this line, Arloing, Cornevin, and Thomas, two successive inoculations, with inoculating materials of different strength, are required to produce immunity. It requires some degree of expertness and care to perform the inoculations properly.

The virus used for this purpose is prepared on a commercial scale and offered for sale by several firms in this country.

EXTRACTS FROM THE SANITARY LAWS OF THE STATE OF KANSAS.

Chapter 142, General Statutes of 1897; also, chapter 2, Laws of 1884, as amended by chapter 352,
Laws of 1895.

LIVE-STOCK SANITARY COMMISSION.

SECTION 1. Three Commissioners, to be appointed by the governor by and with the advice and consent of the senate, shall constitute the Live-Stock Sanitary Commission of the state of Kansas. Before entering upon the duties of his office each Commissioner shall take and subscribe the oath of office and file the same with the secretary of state; and each Commissioner, before entering on the performance of his duties, shall execute a bond, to be approved by the executive council, in the sum of two thousand dollars, conditioned that he will faithfully perform the duties of his office, and file the same with the secretary of state. The term of office of said Commissioners shall be for the period of one, two and three years respectively, from the 1st day of April next succeeding their appointment, and the governor shall have power to fill any vacancy in said Commission.

PROTECTION TO DOMESTIC ANIMALS.

SEC. 3. It shall be the duty of the Commission provided for in the first section of this act 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. 4. It shall be the duty of any member of said Commission, upon receipt by him 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 or not, and if such disease is found to be of a malignant, contagious or infectious character, he shall direct the temporary quarantine and sanitary regulations necessary to prevent the spread of any such disease, and if in his judgment, or in the judgment of the Commission, there is need of technical knowledge and examination on the subject, he or they may call upon the veterinary surgeon of the agricultural college to visit the place where said disease is supposed to exist, and take his opinion thereon.

SEC. 5. If the member of the Commission examining the place where such disease is supposed to exist shall be of the opinion that the exigencies of the case require, he shall immediately convene the Commission at such place as he may designate; and if upon consideration of his report the Commission shall be satisfied that any contagious or infectious disease exists of a malignant character, which seriously threatens the health of domestic animals, they shall proceed at once to the infected district, ascertain and determine the premises or grounds infected, and establish the quarantine, sanitary and police regulations necessary to circumscribe and exterminate such disease; also to 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 for that purpose the said Commission may, in its discretion, cause the live stock so included within the quarantine lines established to be marked or branded in such manner as the Commissioners may designate, 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 Commissioners.

SEC. 6. The said Commission shall also from time to time give and enforce 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 or any of the members thereof are hereby authorized and empowered to enter upon any grounds or premises to carry out the provisions of this act.

IMPORTATION OF DISEASED LIVE STOCK PROHIBITED.

SEC. 7. Whenever the governor of the state shall have good reason to believe dangerous, contagious or infectious disease has become epidemic 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 inspector; and all such animals arriving in this state shall be examined without delay by the Live-Stock Commission or some member thereof, and if deemed necessary placed in close quarantine until all danger of infection is past, when they shall be released by the order of the Live-Stock Commission.

DISEASED ANIMALS MAY BE KILLED.

SEC. 10. 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 its 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, or by being published in the official state paper; 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. 11. 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 as hereinbefore provided; provided, that no labor shall be employed nor material or supplies purchased by the Commission except such additional labor, material and supplies as may be necessary to carry into effect the quarantine and other regulations prescribed by the Commission.

SEC. 13. 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, or any member thereof, and to the sheriff and county clerk of the county in which such domestic animal is found; 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 at once to the sheriff and county clerk of the county in which such domestic animal is found.

SEC. 14. The sheriff 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 is and examine the same, and forthwith report the result of such examination to the Commission, or any member thereof, and shall prescribe such temporary quarantine regulations as will prevent the spread of the contagion or infection until the Live Stock Sanitary Commission can provide and order suitable quarantine rules and regulations.

SEC. 16. The Commissioners shall have the 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, to be paid as other expenses of said Commission as hereinbefore provided; and any officer may arrest on view and take before any magistrate of the county any person found violating the provisions of this act, and such officer shall immediately notify the county attorney of such arrest, and he shall prosecute the person so offending according to law.

SEC. 17. It shall be the duty of the railway corporations doing business in this state to cleanse and disinfect the cars used by them in transporting stock in this state at such times and places as the Commission may designate, whenever in the opinion of the Commission any such order may be necessary to prevent the spread of infectious or contagious diseases. Any such corporation violating any of 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 state of Kansas.

SEC. 18. Except as otherwise provided in this act, any person 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 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 nor more than \$500.

SEC. 19. 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 and regulating quarantine, 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 for each of such diseased or exposed domestic animals which he shall permit to run at large or keep, or 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 bill of health for such animal.

QUARANTINE AGAINST TEXAS FEVER.

SEC. 20. The Live-Stock Sanitary Commission is authorized and directed to cooperate with the commissioner of agriculture of the United States or any officer or authority of the general government in the suppression and extirpation of any and all contagious diseases among domestic animals and in the enforcement and execution of any and all acts of congress to prevent the importation or exportation of diseased cattle and the spread of infectious or contagious disease among domestic animals.

PENALTIES FOR IMPORTING DISEASED ANIMALS, ETC.

SEC. 22. 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 \$500 nor more than \$5000.

SEC. 23. Any person who owns or is in possession of live stock which is or which is suspected or reported to be affected with any infectious or contagious disease who shall refuse to allow the authorized officer or officers to examine such stock, or shall hinder or obstruct the 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 \$100 nor more than \$500.

INSPECTOR OF LIVE STOCK.

SEC. 24. The owners of any stock-yard doing business in this state, when requested by the Live-Stock Sanitary Commission, shall appoint and keep constantly in their employ, at their expense, a competent inspector of live stock, whose duty it shall be to daily inspect with care all animals brought into the stock-yards in whose employ any such inspector may be; and upon the discovery by such inspector in such yards of any animal affected with any malignant, contagious or infectious disease, he shall direct the manner in which any such diseased animal shall be disposed of, so as to prevent the spread of such contagious or infectious disease, and for this purpose may cause any such diseased animal to be killed, and the carcass to be disposed of at the expense of the owner thereof in such manner as will prevent the spread of any such disease; but in no event shall any such diseased stock be permitted to be driven or shipped out of any such stock-yards, except to some rendering establishment or other suitable place for killing and disposing of such diseased animal as hereinbefore provided for, and then under such regulations and restrictions as may be necessary to prevent the spread of the disease on account of which any such animals have been condemned; provided, that the owner of any animal or animals ordered to be destroyed by any inspector shall have the right to appeal from any decision of such inspector to the Live-Stock Sanitary Commission, and during the pendency of such appeal, the condemned animals shall be kept in strict quarantine at the expense of the owner thereof; and provided further, that no compensation shall be made by the state to owners of diseased live stock found in public stock-yards and destroyed as herein provided. The inspector of live stock in any stock-yards in this state shall, on demand of the owner of any live stock passing through any such stock-yards, furnish to such owner a bill of health for any live stock by him inspected as hereinbefore required, and found to be healthy.

COMPENSATION OF COMMISSIONERS.

SEC. 25. The members of the Commission appointed by the governor as hereinbefore provided shall receive five dollars per day for the time by them necessarily employed in the discharge of the duties required by this act, and each member of the Commission and the veterinary surgeon of the agricultural college hereinbefore provided for shall receive the actual necessary traveling expenses by them incurred and paid in the discharge of their duties required of them by the provisions of this act, which said per diem and expenses shall be drawn from treasury on the warrants of the auditor, to be issued on the filing in his office of an itemized account thereof properly verified.

SEC. 26. For the purposes of this act, each member of the Live-Stock Sanitary Commission is hereby authorized and empowered to administer oaths and affirmations.

PROTECTION AGAINST TEXAS, SPLENIC OR SPANISH FEVER.

Chapter 139, General Statutes of 1897; also, chapter 161, Laws of 1881.

SECTION 1. No person or persons shall drive or cause to be driven into or through any county in this state any cattle diseased with a disease known as Texas, splenic or Spanish fever. Any person violating any provision of this act shall on conviction be adjudged guilty of a misdemeanor, and shall be fined not less than \$100 and not more than \$1000, and be imprisoned in the county jail not less than thirty days and not more than one year.

SEC. 2. Upon the arrest of any person or persons charged with the violation of any of the provisions of this act, all cattle found in his or their possession shall, during the arrest and trial of the offenders, be stopped and taken charge of by the officer or person executing the warrant of arrest, to abide the judgment of the court before whom the offender or offenders shall be tried.

SEC. 3. Upon a complaint made to any sheriff within the state, by any citizen thereof, that there are within the county where said sheriff resides wild or undomesticated cattle infected or diseased with what is commonly known as Texas, splenic or Spanish fever, said sheriff shall forthwith take charge of said cattle and corral the same, or otherwise prevent their running at large, until said complaint shall be investigated as hereinafter provided.

SEC. 7. Any person or persons who shall drive or cause to be driven into or through any county in this state any of the cattle mentioned in section 1 of this act, in violation of this act, shall be liable to the party injured for all damages that may arise from the communication of disease from the cattle so driven, to be recovered in civil action; and the party so injured shall have a lien upon the cattle so driven.

SEC. 9. Justices of the peace within their respective counties shall have criminal jurisdiction in all cases arising under the provisions of this act.

SEC. 10. It shall be the duty of the prosecuting attorney of the proper county to prosecute on behalf of the state all criminal cases arising under this act.

SEC. 13. No person or persons shall, between the 1st day of February and the 1st day of December of any year, drive or cause to be driven into or through any county or part thereof in this state, or turn upon or cause to be turned or kept upon any highway, range, common or pasture within this state, any cattle capable of communicating or liable to impart what is known as Texas, splenic or Spanish fever. Any persons violating any provisions of this act shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall for each offense

be fined not less than \$500 nor more than \$2000, or be imprisoned in the county jail not less than thirty days and not more than one year, or by both such fine and imprisonment.

SEC. 14. It shall be the duty of any sheriff, under-sheriff, deputy sheriff or constable within this state, upon a complaint made to him by any citizen of the state, or otherwise having notice or knowledge that there are within the county where such officer resides cattle believed to be capable of communicating or liable to impart the disease known as Texas, splenic or Spanish fever, to forthwith take charge of and restrain such cattle under such temporary quarantine regulations as will prevent the communication of such disease, and make immediate report thereof to the Live-Stock Sanitary Commission; and such officer shall keep said cattle in custody as aforesaid until released by order of said Live-Stock Sanitary Commission, and no officer who shall take or detain any cattle under the provisions of this act shall be liable to the owner or owners of such cattle for any damages by reason of such taking or detention, or by reason of the performances of any other duty enjoined in this act.

SEC. 15. Whenever the Live-Stock Sanitary Commission shall determine that certain cattle within the state are capable of communicating or liable of imparting Texas, splenic or Spanish fever, they shall issue their order to the sheriff or any constable of the county in which said cattle are found, commanding him to take and keep such cattle in his custody, subject to such quarantine regulations as they may prescribe, until the 1st day of December next ensuing, on which date they shall direct such officer to deliver said cattle to their owner or owners, or his or their agent. Before any cattle so held shall be delivered as aforesaid, there shall be paid to said Live-Stock Sanitary Commission all the costs and expenses of taking, detaining and holding said cattle; and in case such costs and expenses are not so paid on the said 1st day of December, the said officer shall advertise, in the same manner as is by law provided in cases of sales of personal property on execution, that he will sell such cattle or such portions thereof as may be necessary to pay such costs and expenses, besides the expenses of such sale. And at the time and place so advertised he shall proceed to sell as many of said cattle as may be necessary to pay off such costs and expenses and the expenses of sale, and shall forthwith pay over to the Live-Stock Sanitary Commission any amount so received in excess of the legal fees and expenses of such officer. And any officer performing any of the duties enjoined in this section, or in the next preceding section of this act, shall receive the same compensation therefor as is prescribed by law for similar services; and in case such fees cannot be collected by the sale of such stock, they shall be paid by the county in which such cattle were held.

SEC. 16. Any person or persons who shall drive, ship, or transport, or cause to be shipped, driven, or transported, into or through any county in this state, any cattle liable or capable of communicating Texas, splenic or Spanish fever to any domestic cattle of this state, shall be liable to any person or persons injured thereby for all damages that they may sustain by reason of the communication of said disease, or Texas, splenic or Spanish fever, to be recovered in a civil action in any court of competent jurisdiction, and the parties so injured shall have a first and prior lien to all other liens for such damages on the cattle communicating the disease of Texas, splenic or Spanish fever.

SEC. 18. Whenever two or more persons shall, in violation of this act, at the same time, or at different times during the same year, drive or cause to be driven upon the same highway, range, common or pasture within this state any cattle capable of communicating or liable to impart Texas, splenic or Spanish

fever, they shall be jointly and severally liable for all damages that may arise from the communication of such disease at any time thereafter during the same year to any native, domestic or acclimated cattle that shall have been upon the same highway, range, common or pasture so previously traveled over by such first-mentioned cattle.

SEC. 19. Justices of the peace within their respective counties shall have criminal jurisdiction in all cases arising under the provisions of this act.

SEC. 20. It shall be the duty of the prosecuting attorney of the proper county to prosecute on behalf of the state all criminal cases arising under this act.

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