

SECTION 2. All acts or parts of acts contravening the provisions of this act are hereby repealed.

Approved April 13, 1885.

[No. 131, A.]

[Published April 18, 1885.]

CHAPTER 467.

AN ACT to suppress and prevent the spread of infectious and contagious diseases among domestic animals, and to provide for the appointment of a state veterinarian.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Veterinary surgeon to be appointed by governor.

SECTION 1. The governor of the state shall appoint a competent veterinary surgeon, who shall be known as the state veterinarian, said appointment to be by and with the approval of the senate, when in session, or if the senate is not in session, subject to its approval at next regular session thereafter.

Duties of state veterinarian defined.

SECTION 2. It shall be the duty of the state veterinarian to investigate any and all suspected contagious or infectious diseases among domestic animals in the state, of which he may have knowledge, or may be brought to his notice by any resident in the locality where such suspected disease exists, and in the absence of specific information he shall visit any locality in which he has reason to suspect the existence of such disease. But he shall visit no locality for the purpose of carrying out the provisions of this bill, unless he be requested so to do, by the state, town, city or village board of health where the disease is supposed to exist, and he shall make an itemized account to the governor, stating the time going and returning to the place, the amount of time occupied at the place where the disease is supposed to exist, together with his necessary expenses; which itemized amount, together with his per diem, upon the approval of the governor, shall be paid by the state treasurer. He shall also make scientific study and investigation of all

contagious diseases of domestic animal, and the cause, prevention and cures thereof, and the result of his investigation and study, shall be made part of his annual report hereinafter provided, giving in plain, ordinary language the symptoms by which such diseases may be identified, how liable to be introduced and spread, the causes and conditions which may contribute to the production of any such diseases and the sanitary or other measures best calculated to prevent the germination and spread of the same. He shall also co-operate with the state board of health in the management of all diseases which are common to men and animals, such as glanders, anthrax and hydrophobia, or any condition of the domestic animals which is likely to affect the general health of mankind, such as render unwholesome the use of their meats or milk; and he shall make any examinations asked for by said board, and make special report to it whenever required so to do.

SECTION 3. The state veterinarian is hereby authorized, if he deem it necessary, to order quarantine of any premises upon which domestic animals are, that are afflicted with contagious or infectious disease, or that are suspected to be afflicted with disease or have been exposed to contagious or other disease, and to forbid the removal therefrom of any animals susceptible to such disease; said order of quarantine to be in writing and served upon the owner or occupant of the premises upon which said diseased animals are, and notice thereof, posted at the usual entrance to said premises, and in case said contagious or infectious disease shall become epidemic in any locality, the state veterinarian shall immediately notify the governor, who shall thereupon issue a proclamation quarantining said locality, and forbidding the removal therefrom of any animal of the kind diseased, or of any kind susceptible to such disease, without the permission of the state veterinarian. Any person who shall remove or allow to be removed any domestic animal of the kind diseased, or susceptible to the disease, from any premises so quarantined by the state veterinarian, or locality quarantined by the proclamation of the governor, without permission of the state veterinarian, shall be guilty of a misde-

Further powers and duties of state veterinarian.

meanor and be punished therefor, by a fine of not less than twenty dollars and not more than two hundred dollars, or by imprisonment at hard labor not less than thirty days, nor more than one year and shall forfeit all right to indemnity as herein provided, and be liable to all persons injured thereby for damages by them sustained.

Further powers prescribed.

SECTION 4. In case of contagious or infectious disease of malignant or very fatal nature, such as rinderpest, foot and mouth disease, pleuro-pneumonia, anthrax and Texas fever among bovines, glanders among equines, anthrax in sheep, and other diseases of like nature or fatal tendency, the state veterinarian may, if in his judgment necessary, order slaughtered any diseased animal or animals, or any animal or animals which have been exposed to such contagion or infection; but in case the state veterinarian shall have any doubt concerning the nature of such disease or the advisability of adopting such means, he shall have the right to call in consultation one or two veterinary surgeons and to confer with the state board of health. He shall also have authority to order slaughtered any animal or animals he may deem necessary for the purpose of ascertaining the nature of such disease.

Requirements of the state veterinarian to be determined before a justice of the peace.

SECTION 5. Whenever as herein provided the state veterinarian shall deem the slaughter of any animal or animals necessary, he shall notify in writing a justice of the peace of the county in which said diseased animals are, describing in such notice the diseased animals with reasonable certainty, and stating the name of the owner, when known, and the disease with which the animals are afflicted. The said justice of the peace shall, after entering the same upon his docket, summons three disinterested citizens of the neighborhood, to act as appraisers of the value of such animals. Said appraisers shall, before entering upon the discharge of their duties, be sworn to make a true and faithful appraisement of the value of said animals without prejudice or favor. They shall, after making their appraisement, make a return to said justice of the peace; such return shall contain an accurate description of each animal, together with the appraised value hereof, and the name of the owner when known, and be signed by the appraisers, a separate one to

be made for each owner. And the justice of the peace shall, after entering the same in his docket, and making an endorsement upon each showing it to have been properly recorded, return it, together with a copy of the notice of the state veterinarian, to the owner of the animals to be slaughtered. And it shall be the duty of the state veterinarian to superintend the slaughter of such animals, the disposal of their carcasses, in a manner which to him seems best, and at all times to provide for the proper disinfecting of infected premises, within the meaning of this act. He shall cause the slaughter, disposal of carcasses and disinfecting to be done as cheaply as practicable and pay the expenses of the same, and be reimbursed as provided for other expenses in section 10, of this act. He shall also furnish the owner with a certificate of the slaughter, and state therein whether or not in his judgment, the owner has forfeited his right to indemnity.

Duties of said justice defined.

SECTION 6. It shall be unlawful to bring into this state any domestic animal affected with or that has been exposed to any infectious or contagious disease; and whenever the state veterinarian shall have reason to believe that there is danger of the introduction into this state of contagious or infectious disease among domestic animals from localities outside the state, he shall immediately investigate; and if, in his judgment, conditions exist which endanger the health of the domestic animals of this state, he shall immediately notify the governor and recommend such restrictions as he may deem necessary; and the governor shall, if in his judgment necessary, thereupon, by proclamation, designate such localities, and prohibit from them the importation of any animals of the kind diseased into this state, except under such restrictions as the state veterinarian may deem proper. And any person or persons who shall knowingly bring into this state any animals affected with or suspected to be affected with, or that has been exposed to any contagious or infectious disease, or any person or persons who shall after the issuing of the governor's proclamation, herein provided, receive in charge any animal or animals from any one of said designated localities, and transport or convey the same within the state, shall be deemed

Infections or diseased animals prohibited to be brought within the state.

guilty of a misdemeanor, and punished therefor by a fine of not less than two hundred dollars, and not more than two thousand dollars, or by imprisonment at hard labor not less than six months nor more than two years in the county jail, and shall forfeit all right to indemnity as herein provided, and be liable to all persons injured thereby for damages by them sustained. Any corporation violating any of the provisions of this section, shall forfeit not less than two hundred dollars, or more than two thousand dollars, and be liable to all persons injured thereby for damages by them sustained.

Contagious or infectious disease to be reported.

SECTION 7. It shall be the duty of any person or the agent of any corporation who shall have reason to suspect that there is upon their premises any animal or animals affected with contagious or infectious disease, to immediately report the same to the state veterinarian, or some members of the state, or of some local board of health, whose duty it shall be to report the same to the state veterinarian, and failure to so report or any attempt to conceal the existence of such disease, or to obstruct or resist the state veterinarian in the performance of his duty as herein set forth, or to sell, offer for sale, give away, or in any manner part with any animal affected with, or suspected to be affected with, or that has been exposed to any contagious or infectious disease, and any person convicted of any of the above acts or omissions, shall be fined not less than twenty and not more than two hundred dollars, or be imprisoned at hard labor, not less than thirty days or more than one year for each offense, and shall forfeit all right to indemnity as herein provided, and be liable to all persons injured thereby for damages by them sustained. The provisions of this act shall apply to all animals in this state whether resident or in transit, and the state veterinarian is hereby authorized to enter any premises where he has reason to suspect diseased animals are confined, and he may call to his aid, when necessary, the sheriff or any constable of the county in which the diseased or infected animals are; and it is hereby made the duty of such officers to assist the state veterinarian to enforce the provisions of this act when called upon so to do.

SECTION 8. All claims against the state, arising

from the slaughter of animals, as herein 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 return of the appraisers, which notice and return shall be certified to by the justice of the peace, on whose docket they are recorded, and the certificate of the slaughter of the animals signed by the state veterinarian. The secretary of state shall examine the same, without delay, and for each one found equitable, and entitled to indemnity, he shall issue a warrant upon the state treasurer for two-thirds the sum of money named in the appraisers' return, to be paid out of an appropriation provided for by this act.

Claims against the state to be filed with the secretary of state.

SECTION 9. The right to indemnity shall not exist, and payments shall not be made in the following cases: First, for animals belonging to the United States, this state, or any city, county, township or village in the state. Second, for animals that have been brought into the state contrary to the provisions of section 5, or where the owner or claimant shall have failed to comply with the provisions of sections 3 and 7, of this act. Third, when the owner or claimant, at the time of coming into possession of the animal, knew it to be diseased. Fourth, for animals found to have been diseased at the time of their arrival in the state.

Right to indemnity defined.

SECTION 10. The state veterinarian shall receive for his services the sum of seven dollars per diem together with his necessary expenses when performing his duties and his appointment shall be for a term of two years. The veterinary surgeons called in consultation shall receive the sum of seven dollars per day for each day actually employed and their necessary expenses while performing their duties. These payments shall be made by the state treasurer from an appropriation provided by this act upon itemized vouchers approved by the governor. And no person shall be considered a veterinary surgeon within the meaning of this act who is not a regular graduate in good standing of some recognized veterinary college in the United States, Canada or Europe. The appraisers herein provided shall receive the sum of two dollars for each day actually employed as

Compensation to state veterinarian.

such to be paid out of the county funds upon certificate of the justice of the peace by whom they were summoned. The justice of the peace, sheriff and constable shall receive their fees from their respective counties as provided by law in criminal cases.

Report to be made to governor.

SECTION 11. The state veterinarian shall, in October of each year make a report to the governor of the state.

Annual appropriation.

SECTION 12. There is hereby annually appropriated from any moneys in the treasury not otherwise appropriated, a sum sufficient to carry out the provisions of this act.

SECTION 13. All acts or parts of acts inconsistent herewith, are hereby repealed.

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

Approved April 13, 1885.

[No. 365, A.]

[Published April 20, 1885.]

CHAPTER 468.

AN ACT to amend the charter of the city of Portage.

(See Vol. 2.)

[No. 130, A.]

[Published April 18, 1885.]

CHAPTER 469.

AN ACT relating to liens upon logs, timber and lumber, cord-wood, railroad ties, tan and other barks, piling, telegraph poles, telephone poles and fence posts, and amendatory of sections 3329, 3330, 3331, 3333, 3335 and 3340, of the revised statutes, as amended by chapter 319, of the laws of 1882.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Lien law amended.

SECTION 1. Section 3329, of the revised statutes, as amended by chapter 319, of the laws of 1882, is