

No. 644, A.]

[Published May 22, 1901.]

CHAPTER 440.

AN ACT for the establishment of a live stock sanitary board.

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

Board, how constituted; meetings; organization. SECTION 1. There is hereby constituted a state live stock sanitary board which shall consist of three members of the state board of agriculture, to be chosen by that body from its membership, the bacteriologist of the state agricultural college, and the state veterinarian; the last two mentioned members to be ex-officio members of the board, and the state veterinarian to serve without additional compensation. The members selected from the state board of agriculture shall hold office for a term of three years, except that the member first chosen shall hold his position for one year, the second for two years, and the third for three years from the first day of June, 1901. They shall serve without salary, but shall be paid three dollars per day, and all members of the board shall be paid their actual expenses when in the discharge of their duties. Meetings of the board shall be limited to twelve in each year, and the service of no member on said board, for which a per diem is paid, shall exceed thirty days in any one year. The board may organize by the election of a president and secretary and shall hold its office in such room in the capitol as the governor may designate.

Duty of board. SECTION 2. It shall be the duty of the state live stock sanitary board to protect the health of 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 domestic animals; and for these purposes it is hereby authorized and empowered to establish, maintain, enforce and regulate such quarantine and other measures relating to the movement and care of animals and their products, the disinfection of suspected localities and articles and the disposition 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 slowly contagious diseases, only suspected or diseased

animals shall be quarantined, and in case of bovine tuberculosis or actinomycosis, the owner shall be granted the option of retaining the animals in quarantine, under such restrictions as the board may prescribe.

Slaughter and appraisement of animals. SECTION 3. Whenever the owner shall not exercise option and it shall be deemed necessary by the board to slaughter diseased animals, written notice shall be given to the owner, his agent or the person in charge of such animals, and to a justice of the peace in the county in which the animals may be, of the purpose to order the slaughter thereof, giving the number and description of the animals, and the name of the owner, if known. Such notice shall be entered on the docket of such justice, who shall immediately thereafter summon such owner, agent or possessor, and also three disinterested citizens of the county, not residents of the immediate neighborhood in which such animals are owned or kept, to appraise the value thereof. Such appraisers shall before entering upon the discharge of their duties, be sworn by such justice, to make a true appraisement without prejudice or favor, of the value of such animals, and they shall certify in their return, that they have seen the appraised animals slaughtered. In making appraisement of diseased animals, the appraisers shall determine their value in the condition, in which they are found at the time of appraisement; but the appraised value of no single animal shall exceed fifty dollars. If such appraised animals are slaughtered, said slaughter shall be made under the direction of the local health officer, or the chairman of the town board. The owner of slaughtered animals shall receive no compensation for the same, until the live stock sanitary board is satisfied that the infected premises have been disinfected in such a manner as to prevent the further spread of disease.

Importations, powers of board to prohibit; suspected stock. SECTION 4. Whenever the state live stock sanitary board 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 district, outside this state, or its dissemination from one district in this state to another, it shall investigate the existing conditions, and if it conclude that danger exists to the live stock interests of this state therefrom, it may, with the advice and consent of the governor, prohibit the importation of animals of the kind diseased from the infected district, into this state, or the moving of them from one part of the state to another, except under such regulations as the board may establish. It shall be the duty of every person who shall have

reason to suspect that there is upon his premises, or upon the premises occupied by him, or under his control, any domestic animal having a contagious or infectious disease, to immediately report the fact to the local board of health, or some member of the same, who shall immediately report such case to the state veterinarian, or the secretary of the board. The board or state veterinarian may require the owner of suspected stock to employ at his own expense, a qualified veterinary surgeon, to examine such stock and determine whether, in his opinion, the disease exist. This board or any member thereof may enter upon any premises or go into any building or place, where he has reason to suspect there may be diseased animals, and examine the same and may call to his aid, if necessary, the sheriff or any constable of the county, in which such animals may be located, and all such officers when so called upon, shall assist such board or member thereof in the enforcement of the provisions of this act. Animals in transit in the state, are hereby declared to be under the provisions of this act.

Claims, how paid. SECTION 5. 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 may deem just, provided, that the right to indemnity shall not exist, nor shall payment be made in either of the following cases: First. For animals owned by the United States, this state, or any county, city, town or village in this state. Second. For animals brought into this state, contrary to the provisions of this act, or where the owner of the animal of the person claiming compensation has failed to comply with the provisions of the same. Third. When the owner or claimant, at the time of coming into possession of the animal, knew, or had good reason to believe it to be afflicted with a contagious or infectious disease. Fourth. When the animal slaughtered, was diseased at the time of its arrival in this state. Fifth. When the owner shall have been guilty of negligence, or has wilfully exposed such animal to the influences of a contagious or infectious disease.

Allowance for experimental purposes; report of board; auditing of accounts. SECTION 6. The state live stock sanitary board shall be allowed for experimental purposes, with the consent and approval of the governor, a sum not to exceed, five hundred dollars annually, which bills of expenditure shall be audited and approved by the governor. It shall from time to time issue such bulletins of information as it may deem advisable, which with the report of the board to be made to the governor in October of each year, shall be printed by the commissioners of public printing, the bulletins in such number as the governor may approve, and one thousand copies of the report of this board, five hundred of which shall be bound. The state veterinarian is hereby authorized to call to his assistance, as may be necessary in the performance of his work, duly qualified veterinary surgeons, who shall be paid for their services at the rate of seven dollars per day and their actual expenses for the time they are actually employed as assistants. Their accounts shall be audited upon itemized vouchers, certified to by the state veterinarian and approved by the governor, but 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 for, shall receive two dollars for each day actually employed as such, which amount shall be paid out of the county treasury, upon the certificate of the justice by whom they were summoned. The justice of the peace and other officers who may perform any duty hereunder, shall have the same fees as are allowed by law in criminal proceedings in justice courts, and shall be paid by the county in which their services are performed.

Stationery and postage. SECTION 7. The superintendent of public property is hereby instructed to furnish the state live stock sanitary board with the necessary stationery and postage stamps for its work.

Conflicting laws repealed. SECTION 8. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

SECTION 9. This act shall take effect and be in force, from and after June first 1901.

Approved May 15, 1901.