

HOUSE No. 552.

HOUSE OF REPRESENTATIVES, Feb. 2, 1898.

[Introduced on leave by Mr. BENNETT. Agriculture.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-eight.

AN ACT

Relative to Contagious Diseases among Domestic Animals.

*Be it enacted by the Senate and House of Representatives
in General Court assembled, and by the authority of the
same, as follows:*

1 SECTION 1. The sum of one hundred and fifty
2 thousand dollars is hereby appropriated to be paid
3 out of the treasury of the Commonwealth from
4 the ordinary revenue under direction of the cattle
5 commissioners in continuing the work provided
6 for under chapter four hundred and ninety-one
7 of the acts of the year eighteen hundred and
8 ninety-four, as amended by chapter four hundred
9 and seventy-six of the acts of the year eighteen
10 hundred and ninety-five, and acts subsequent
11 thereto.

1 SECTION 2. Section forty-five, of chapter four
2 hundred and ninety-one, of the acts of eighteen
3 hundred and ninety-four, as amended by section
4 ten of chapter four hundred and ninety-six of
5 the acts of eighteen hundred and ninety-five, is
6 further amended so that it shall read as follows:—
7 “*Section 45.* When the board of cattle com-
8 missioners or any of its members, by an exam-
9 ination of a case of contagious disease among
10 domestic animals, becomes satisfied that the pub-
11 lic good requires it, such board or commission
12 shall cause such animal or animals affected there-
13 with to be securely isolated, or shall cause it or
14 them to be killed without appraisal or payment.
15 Such order of killing shall be in writing, and may
16 be directed to the board of health, inspector or
17 other person, and shall contain such direction as
18 to the examination and disposal of the carcass,
19 and the cleansing and disinfecting of the premises
20 where such animal was condemned, as such board
21 or commissioner shall deem expedient. A rea-
22 sonable sum may be paid out of the treasury of the
23 Commonwealth for the expense of such killing and
24 burial. If it shall subsequently appear, upon post
25 mortem examination or otherwise, that such animal
26 was free from the disease for which it was con-
27 demned, a reasonable sum therefor shall be paid
28 to the owner thereof by the Commonwealth: *pro-*
29 *vided, however,* that whenever any cattle con-
30 demned as afflicted with the disease of tuber-
31 culosis are killed under the provisions of this
32 section one-half the value thereof at the time of

33 condemnation, not exceeding the sum of sixty
34 dollars for any one animal, shall be paid to the
35 owner thereof out of the treasury of the Common-
36 wealth if such animal has been owned within the
37 state six months continuously prior to its being
38 killed: *provided*, such person shall not have, prior
39 thereto, in the judgment of the cattle commis-
40 sioners, by wilful act or neglect, contributed to
41 the spread of tuberculosis; but such decision on
42 the part of the commissioners shall not deprive
43 the owner of the right of arbitration as hereinafter
44 provided.

1 SECTION 3. Chapter four hundred and ninety-
2 one of the acts of eighteen hundred and ninety-
3 four as amended by chapters four hundred and
4 seventy-six and four hundred and ninety-six of
5 the acts of eighteen hundred and ninety-five and
6 acts subsequent thereto, is further amended by
7 adding the following new section: —

8 *Section* —. In interpretation and amendment
9 of all previous sections of this act and acts
10 relating thereto, it is further provided that the
11 cattle commissioners, inspectors or other officers
12 of the Commonwealth shall not cause or permit
13 the slaughter of any cattle or other food animals
14 within their jurisdiction unless said board of cattle
15 commissioners consider such animals unfit for
16 human food.

