

H. F. No. 394

CHAPTER 115.

An act to amend chapter three hundred fifty-two (352) of the General Laws of the year one thousand and nine hundred and three (1903), entitled "An act to establish the state live stock sanitary board of Minnesota and to provide for the suppression and control of dangerous contagious and infectious diseases of domestic animals," approved April 22nd, 1903.

Establishing
live stock
sanitary
board.

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

SECTION 1. That section thirteen (13) of chapter three hundred fifty-two (352) of the General Laws of the year one thousand nine hundred three (1903), be and the same is hereby amended so as to read as follows:

Provision
for killing
live stock.

Whenever the state live stock sanitary board shall decide upon the killing of an animal affected with the disease tuberculosis or glanders, it shall notify the owner, or keeper, of such decision, when in the judgment of the state live stock sanitary board such animal may be ordered transported for immediate slaughter by the said board, through its executive officer to any abattoir within the state where the United States bureau of animal industry maintains inspection, and said state live stock sanitary board shall pay the expense of said transportation and yardage. Before being removed from the premises of owner there shall be appointed three competent and disinterested men; one appointed by the state, one by the owner, and the third by the first two to appraise such animal at its cash value.

Appraisal.

Such appraisal shall in no case exceed thirty-five (\$35.00) dollars for a cow and seventy-five (\$75.00) dollars for a horse, except in the case of pure bred cattle and horses where the pedigree shall be proved by certificates of registry from the herd books where registered, and in that case the maximum appraisal shall not exceed seventy-five (\$75.00) dollars. If upon slaughter, such animal is found by the inspector in charge of such abattoir, or veterinarian of the state live stock sanitary board, to be free from any contagious or infectious disease, then the full amount of such appraisal, less the value of the carcass, shall be paid to the owner of such animal from the funds hereby appropriated for the purpose of carrying out this act.

But if upon post-mortem examination such animal shall be found to be afflicted with tuberculosis or glanders, then and in that case the value of the carcass shall be deducted from the appraised value of the living animal and three-fourths (3-4) of the remainder shall be paid to the owner by the state, *provided* the animal has been kept for one year in good faith in the state prior to killing thereof.

The owner or keeper may file with the board, which has ordered the killing, within forty-eight (48) hours after being notified, a protest stating therein under oath that to the best of his knowledge and belief the animal is not infected with tuberculosis or glanders; blank protests shall be furnished owner by the board which has ordered such killing. Thereupon if the animal be killed, an autopsy shall be held by three experts, who shall be graduate veterinarians of a recognized college, one appointed by the state board, one by the owner, to be paid by the owner, and the third by the first two, to be paid by the state, who shall appraise such animal before it is killed at its cash value, and the autopsy shall then be held upon such animals by the above mentioned veterinarians.

Owner may file protest.

If the autopsy shows that the animal is entirely free from any such disease, the cash value thereof immediately before the killing shall be paid to the owner by the state, less the value of the carcass. The appraisements made under this act shall be in writing and signed by the appraisers and certified by the local board of health and the state live stock sanitary board, respectively, to the auditor of the state, who shall draw a warrant on the state treasurer for the amount thereof.

Payment of cash value.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 6, 1905.

CHAPTER 116.

H. F. No. 658.

An act to authorize county commissioners in counties of two hundred and twenty-five thousand inhabitants or over to constitute certain public roads or highways therein county roads.

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

SECTION 1. That in any county of this state having two hundred and twenty-five thousand inhabitants or