

CHAPTER 322.

H. F. No. 312.

An act to amend sections five and twelve of chapter two hundred and thirty-three (233) of the Laws of 1897, entitled "An act to prevent the spread of contagious and infectious diseases among domestic animals in this state."

Amendment.
Contagious
diseases
among do-
mestic ani-
mals.

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

SECTION 1. That section five (5) of chapter two hundred and thirty-three (233) of the laws of 1897 be and the same is hereby amended so as to read as follows:

Section 5. Whenever a domestic animal has been adjudged to be infected with a contagious or infectious disease, and has been ordered killed by the state board of health, or by a local board of health, the owner or keeper of such animal shall be notified thereof, and within twenty-four (24) hours thereafter he may file a protest with the board of health which has ordered such animal killed against the killing thereof, and shall therein state, under oath, that to the best of his belief such animal is not infected with any contagious or infectious disease; whereupon, said animal being killed notwithstanding such protest, a post mortem examination thereof shall be made by experts, appointed, one by the board of health, one by the owner and one by the two already appointed, and if upon such examination said animal shall be found to have been entirely free from contagious or infectious disease, there shall be appointed three competent and disinterested men, one by the board of health, one by the owner of the animal killed, and the third by the two already appointed, to appraise it at its cash value immediately before it was killed, and the amount of such appraisal shall be paid to the owner of such animal, one-fifth part thereof by the town, village or city where the animal was kept, and four-fifths thereof by the state. All appraisements made under this act shall be in writing and signed by the appraisers and certified to by the local board of health and the state board of health respectively, to the governor of the state and to the treasurer of the several towns, villages and cities wherein the animals appraised were kept.

If animal
infected or-
dered killed,
right of
protest by
owner.

Examination
and ap-
praisal.

Upon the filing of any such appraisement, it shall be the duty of the state board of health with which the same is filed to make a certificate under their hands of the number of days served by the appraisers in making their appraisement, and upon the filing of such certificate with the

Compensa-
tion of
appraisers.

state treasurer, such treasurer shall pay each of said appraisers one (1) dollar per day for his services as such appraiser.

Whenever any such animal has been adjudged infected with the disease of tuberculosis, and has been ordered killed by the state board of health or by a local board of health, and is killed in accordance therewith, the value of such animal less the value of the carcass thereof shall be determined as hereinbefore specified and shall be paid for to the owner as follows: One-third of the value thereof shall be paid by the state, one-third thereof by the town, village or city where the animal is kept, and the remaining one-third thereof shall be borne by the owner of such animal.

Payment for
animal
killed.

Payment in such cases shall be made by the state and such town, village or city as hereinbefore set forth; *provided, however*, that in no case shall the appraised value of such animal exceed the sum of forty (40) dollars, nor shall any payment be made for the killing of any such animal infected with said disease of tuberculosis unless such animal was owned and kept in good faith in this state for at least the space of one year next prior to the killing thereof.

Whenever any such animal which has not been adjudged to be infected is killed by order of said board, but not by the owner or keeper thereof, a post mortem examination thereof shall be made by experts appointed as aforesaid, and if found to have been entirely free from any infectious disease, the value of such animal shall be determined and paid for as hereinbefore specified. Except as in this section expressly provided, no compensation shall be paid for any animal killed by virtue of any authority given by this act.

SEC. 2. That section twelve (12) of chapter two hundred and thirty-three (233) of the laws of 1897, be and the same is hereby amended so as to read as follows:

\$19,000 ap-
propriated.

Section 12. The sum of nineteen thousand dollars (\$19,000), or so much thereof as is necessary, is hereby annually appropriated for the payment of the expenses that may be incurred by the state in enforcing this act, such expense to be approved by the state board of health and by the governor.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 13, 1901.