

A BILL

FOR AN ACT TO REPEAL SECTION TWO THOUSAND FIVE HUNDRED AND THIRTY-FOUR (2534) OF THE SUPPLEMENT TO THE CODE, 1907, AND TO ENACT A SUBSTITUTE THEREFOR, AND TO AMEND SECTION FIVE THOUSAND TWENTY-EIGHT-j 5028-j) OF THE SUPPLEMENT TO THE CODE, 1907, ALL RELATING TO THE STATE VETERINARY SURGEON.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the law as it appears in section two thousand five hundred and thirty-four 2534) of the Supplement to the Code be, and the same is hereby repealed, and the following 3 enacted in lieu thereof:

4 “Whenever in the opinion of the state veterinary surgeon the public safety demands the 5 destruction of any stock, the same may be destroyed upon the written order of said surgeon, 6 with the consent of the owner or upon the approval of the governor. By virtue of such order 7 such surgeon, his deputy or assistant or any peace officer, may destroy such diseased stock, and 8 the owner thereof shall be entitled to receive its actual value in its condition when con- 9 demned, to be ascertained and fixed by two competent and disinterested persons, one selected 10 by the state veterinary surgeon or assistant and one selected by the owner. If they fail to 11 agree, a third person shall be chosen by the two already selected, to appraise such animal, but 12 such appraisal shall not exceed thirty-five dollars for grade and seventy-five dollars for pure 13 bred registered animals. If the carcass is sold the owner shall be entitled to the proceeds of such 14 sale and the difference between such proceeds and the appraised value of the living animal 15 shall be paid to the owner by the state. The expense of appraisal shall be defrayed by the 16 state and the expense of disposing of such diseased animal shall be borne by the owner. The 17 state veterinary surgeon shall file with the executive council his written report thereof, who 18 shall, if found correct, endorse their findings thereon, whereupon the auditor of state shall 19 issue his warrant therefor upon the treasurer of state who shall pay same out of any moneys 20 at his disposal under the provisions of this act, but no compensation shall be allowed for ani- 21 mals diseased with glanders, or for animals owned by the United States, this state, or any 22 county, city, town or village in the state, or for animals brought into this state contrary to law, 23 or where the owner of animals or person claiming compensation, has failed to proceed in ac-

24 cordance with the law, or when the owner or claimant at the time of coming into possession
25 of the animal, knew or had good reasons to believe it to be afflicted with a contagious disease;
26 or when the owner shall have been guilty of gross negligence or has wilfully exposed such an-
27 imal to the influence of a contagious or infectious disease; or when the animal slaughtered
28 shall have been brought into the state within one year prior to such slaughter; or if the ani-
29 mal was diseased at the time of its arrival in the state; or for stock destroyed while in transit
30 through or across the state. There is hereby appropriated out of any moneys in the state
31 treasury not otherwise appropriated, the sum of fifty thousand dollars (\$50,000) or so much
32 thereof as may be necessary for the use and purposes herein set forth.

SEC. 2. In suspected cases of tuberculosis, the state veterinary surgeon may, in his discre-
2 tion, order such tuberculin test to be made and if the animal responds to the test, he may cause
3 such animal to be held in strict quarantine, slaughtered on the premises, or permit the owner
4 to transport such animal to a packing house for immediate slaughter.

SEC. 3. No person shall sell, give away, barter or trade, any animal known to have a con-
2 tagious or infectious disease, unless such sale be made under a written contract signed by
3 both parties specifying the disease with which such animal is infected, a copy of which con-
4 tract shall be filed in the office of the state veterinary surgeon. Any person violating the pro-
5 visions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall
6 be fined not less than \$50.00, nor more than \$500.00, or be imprisoned in the county jail not to
7 exceed one year, or both.

SEC. 4. That section five thousand twenty-eight-j (5028-j) of the Supplement to the Code,
2 1907, be, and the same is hereby amended by striking out of the first and second lines of said
3 section the word "registered" and striking out after the word "cattle" in the second line of
4 said section the words "or cattle eligible to registry."