

VETERINARIANS.

CHAPTER 132.

[H. B. No. 124.]

POWERS AND DUTIES OF DISTRICT VETERINARIANS.

AN ACT to Prevent the Spread of Contagious and Infectious Diseases Among Domestic Animals.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. VETERINARIAN DISTRICTS.] The State shall be divided into six "Veterinarian Districts," in each of which there shall be appointed by the Governor, by and with the consent of the Senate, one competent veterinarian, who shall be known as the "District Veterinarian," who shall hold their office for a term of two years from the date of their appointments respectively, unless sooner removed for cause, and who, upon entering upon their duties, shall each take an oath to well and truly perform their duties as provided by law, which said oath shall be taken before any judge of the district court or notary public within the district of the State for which they may be appointed and shall be filed with the Secretary of State.

§ 2. DISTRICTS.] District No. 1 shall consist of the First Judicial District.

District No. 2 shall consist of the Second Judicial District.

District No. 3 shall consist of the Third Judicial District.

District No. 4 shall consist of the Fourth Judicial District.

District No. 5 shall consist of the Fifth Judicial District.

District No. 6 shall consist of the Sixth Judicial District.

§ 3. DUTIES OF VETERINARIANS.] The duties of said district veterinarians shall be as follows:

First. To investigate, in person or by deputy, any and all cases of contagious or infectious diseases among cattle, horses, mules, asses, sheep and other domestic animals within his district of which he may have knowledge or which may be brought to his notice by any resident in any locality within his said district where such disease may exist, and it shall be his duty, in person or by deputy, in the absence of specific information, to make visits of inspection to any locality within his district where he may have reason to believe that there are contagious or infectious diseases existing among such domestic animals.

Second. To seize and inspect, either in person or by deputy, at the State line bordering on his district, any horses, mules, cat-

tle, asses, sheep or other domestic animals, which may be unloaded temporarily or consigned to any point within his district of the State when the owner, agent or person in charge thereof shall not upon demand produce certificates of the health of such animals satisfactory to him or his deputy from a duly authorized state or district veterinarian or examiner of the state from which said animals have been shipped.

Third. To examine, either in person or by deputy, so often as he may deem reasonable, all pens, enclosures and cars within the district within which domestic animals may be confined or transported and to require the owner, agent or person in charge of all such pens, enclosures and cars to keep the same in proper sanitary condition.

Fourth. To require, either in person or by deputy, the owner, agent or person in charge of all pens, enclosures or cars, within which domestic animals may be confined or transported, to cleanse, fumigate and disinfect all pens, enclosures or cars within which such domestic animals may be confined or transported, within two days after written notice, when, in his opinion, such cleansing, fumigating and disinfecting shall be necessary for the prevention of the spread or outbreak of any contagious or infectious disease among such animals.

Fifth. It shall also be the duty of the district veterinarian, in person or by deputy, to seize and inspect all domestic animals coming into and to remain within his district of the State without a certificate of the health of such animals, from a duly authorized State or district veterinarian or examiner from the state from which said animals have been shipped, and before such animals shall be allowed by the district veterinarian to be transported into and to remain within the State. In addition to such inspection, he shall, either in person or by deputy, require from the owner, agent or person in charge of such animals, an affidavit to the effect that such animals have not been exposed to any infectious or contagious disease for a period of at least ninety days prior to the making of such affidavit, and, in case the district veterinarian shall have reason to believe that any domestic animals have been exposed to, or have contracted any contagious or infectious disease, it shall be his duty to seize and inspect such animals, notwithstanding any certificate of their health by any veterinarian or examiner of any other state.

§ 4. DUPUTY VETERINARIANS.] The district veterinarian, with the consent of the Governor, is hereby authorized to appoint one deputy district veterinarian within their respective districts in case that it shall be necessary to the proper discharge of the duties of their office, who shall act under the direction and by the instruction of the district veterinarian by whom they were appointed, and said deputies shall furnish a satisfactory bond in the penal sum of five hundred dollars each to the district veterinarian of the district for which they may be appointed conditioned

for the faithful performance of their duties, and said deputies may be dismissed from their office at the pleasure of the district veterinarian by whom they were appointed, and the place of the deputy may be filled by the appointment of the district veterinarian of that district.

§ 5. PER DIEM AND EXPENSES OF DEPUTIES.] Whenever any deputy district veterinarian shall be appointed as provided in Section 4 of this act, he shall receive for his services the sum of five dollars for each day actually and necessarily employed by direction of the district veterinarian under whom he was appointed, together with the necessary traveling expenses actually paid out while in the performance of his duties. These payments shall be made from any funds in the State Treasury, not otherwise appropriated, upon itemized vouchers signed and sworn to by him and submitted to the district veterinarian by whom he was appointed, and the State Auditor. No constructive mileage shall be paid under this act to the deputy district veterinarian, nor shall any deputy district veterinarian receive any mileage.

§ 6. INSPECTION OF ANIMALS SEIZED—FEES.] Whenever any domestic animals are seized and inspected under the provisions of this act by the district veterinarian or by any deputy district veterinarian while such animals are being transported in cars, on shipboard or brought into the State in any other manner, the district veterinarian or any deputy district veterinarian making such seizure and inspection shall require the owner, agent or person in charge of such animals to pay one-half cent each for the inspection of sheep and twenty-five cents each for all other animals named herein. All money so collected by the deputy district veterinarian shall be immediately transmitted to the district veterinarian, together with a detailed report of the seizure and inspection, and it shall be the duty of the district veterinarian to transmit monthly all moneys collected as inspection fees under the provisions of this act to the State Treasurer, who shall receipt to the district veterinarian therefor. All such fees shall be paid by the State Treasurer into the State treasury general fund; *Provided*, That no inspection shall be made by any deputy district veterinarian of any domestic animals in transit through the State without special instructions from the district veterinarian, where the owner, agent or person in charge thereof shall produce certificates of the health of such animals from a duly authorized veterinarian or examiner from the State from which said animals have been shipped.

§ 7. QUARANTINE—GOVERNOR'S PROCLAMATION.] In all cases of contagious or infectious diseases among domestic animals or Texas cattle in this State, the district veterinarian shall have authority to order the quarantine of the infected premises and animals within his district, and in case such disease shall become epidemic in any locality within the State it shall be the duty of the district veterinarian of the district where such epidemic may exist

or become known, to immediately notify the Governor of the State, who shall thereupon issue his proclamation forbidding any animals of the kind among which said epidemic exists to be transferred from the locality thereof without a certificate from the district veterinarian of such district [or] locality showing such animals to be healthy. The expense of holding and taking care of all animals quarantined under the provisions of this act shall be paid by the owner, agent or person in charge of the same.

§ 8. QUARANTINE REGULATIONS.] In case of any epidemic diseases where premises and animals have been previously quarantined by the district veterinarian as hereinbefore provided, he is further authorized and empowered, when in his judgment it is necessary, to order that any and all diseased animals shall be quarantined in such place and in such manner as he may direct, and the premises previously occupied by such diseased animal or animals, thoroughly fumigated, and such diseased animal or animals held in such quarantine until the district veterinarians of the two adjoining districts shall have been summoned by the district veterinarian in whose district such diseased animal or animals are located, and it is hereby made the duty of the resident district veterinarian to so summon the other two district veterinarians to appear and assist in diagnosing and pronouncing upon the character of the disease with which said animal or animals are supposed to be infected, and in case all three district veterinarians, or any two of them, declare said disease to be contagious or epidemic in its character, and that such animal or animals should be destroyed to prevent the spread of such disease to other animals, the district veterinarian of the district wherein the animal or animals are located shall order the immediate slaughter of such animal or animals and not otherwise. Said order shall be a written one, and shall be made in duplicate, setting forth distinctly the nature of the disease for which such animals are condemned, to be served on each owner thereof, the original of each order to be filed by the district veterinarian with the Governor of the State and the duplicate thereof given to the said owner, agent or person in charge of said condemned animals. It shall be the duty of the owner, agent or person in charge of any and all animals slaughtered under the provisions of this act to immediately bury the carcasses of such slaughtered animals in a trench at least six feet in depth and at least four feet beneath the surface of the ground, or burn and consume such carcasses under the direction of the district veterinarian, or his deputy; and it is hereby made the duty of the district veterinarian, in person or by his deputy, to require the owner, agent or person in charge of such slaughtered animals within his district to immediately bury or burn the carcasses of such slaughtered animals as herein provided.

§ 9. REPORT TO GOVERNOR.] Each district veterinarian shall make a report at the end of every year to the Governor of the State of all matter connected with his work, and the Governor

shall transmit to the several boards of county commissioners such parts of said reports as may be of general interest to the breeders of live stock. The Governor shall also give information in writing as soon as he obtains it to the various boards of county commissioners of each case of suspicion or fresh outbreak of disease in each locality, its cause and the measures adopted to check it.

§ 10. OWNER—WHEN TO NOTIFY VETERINARIAN.] It shall be the duty of any owner, agent or person in charge of any cattle, horses, mules, asses, sheep, or other domestic animals, when such owner, agent or person in charge thereof intends to bring any such animals into this State for distribution, sale, transportation, or permanent location therein, without a certificate of their health from a duly authorized veterinarian or examiner of the state from which such animals are shipped, to give notice in writing to the district veterinarian of the district of the state bordering on the state line from which said animals [are] brought at least three days before such animals are brought into this State beyond the quarantine station at the state line of such district, and it shall be the duty of any person or persons who shall have knowledge or suspect that there is upon his or their premises, or upon the public domain, any case of contagious or infectious disease among domestic animals, or Texas cattle, to immediately report the same to the district veterinarian of the district wherein such animals or cattle may be, and a failure so to do, or any attempt to conceal the existence of such diseases, or a failure to give notice, before passing the quarantine station at the state line of said district, as in this section required, or to willfully or maliciously obstruct or resist the district veterinarian, or his deputy, in the discharge of their duties, as set forth in this act, shall be deemed a misdemeanor, and any person or persons who shall be convicted of any one of the above acts or omissions shall be fined not less than fifty dollars nor more than two thousand dollars for each and every such offense; and upon conviction of such offense a second time, shall, in addition to the above named fine, be imprisoned in the county jail of the county wherein convicted, or as otherwise provided by law, for a term of not less than ninety days nor more than one year.

§ 11. REGULATIONS—CASES OF INFECTION.] The following regulations shall be observed in all cases of disease covered by this act:

First. It shall be unlawful to sell, give away or in any manner part with any animal affected with, or suspected of being affected with any contagious or infectious disease, and in case of any animal that may be known to have been affected with or exposed to any such disease within one year prior to such disposal, due notice of the fact shall be given in writing to the party receiving the animal.

Second. It shall be unlawful to kill for butcher purposes any such animal; to sell, give or use any part of it, or its milk, or to

remove any part of the skin. A failure to observe these provisions shall be deemed a misdemeanor, and, on conviction, shall be punished by a fine not less than one hundred dollars, nor exceeding two thousand dollars; and, in addition to the above named fine, be imprisoned in the county jail for a term of not less than ninety days nor more than one year. It shall be the duty of the owner, agent or person having in charge any animal infected with or suspected with being infected with any contagious or infectious disease, to immediately confine the same in a safe place, isolated from all other animals, and with all necessary restrictions to prevent the dissemination of the disease until the arrival of the district veterinarian within and for the district wherein the same may be at the time. The above regulations shall apply as well to animals in transit through the State as to those resident therein, and the district veterinarian, or his duly authorized deputy, shall have full authority, within his district, to examine whether in yard, pasture or stables, or upon the public domain, all animals passing through the State, within his district, or any part of it, and on detection or suspicion of disease, take possession of and treat and dispose of such animals in the same manner as is prescribed for animals resident within this State.

§ 12. SALARY AND BOND OF VETERINARIAN.] Each of said district veterinarians shall receive for their services the sum of six hundred dollars per annum. The payment of such salary shall be made from any funds in the State treasury not otherwise appropriated, monthly, upon itemized vouchers signed and sworn to by each for his separate district and submitted to the State Auditor, who shall draw warrants upon the State Treasurer for the amount thereof, if found correct, separately. No person shall be competent under this act to receive the appointment of district veterinarian, who is not, at the date of his appointment, a graduate in good standing of a recognized college of veterinary surgeons, or who has not practiced veterinary surgery within this State for at least five years. Before entering upon the discharge of his duties he shall give a bond to the State of North Dakota, with good and sufficient sureties, in the sum of two thousand dollars, conditional for the proper discharge of the same. No constructive mileage, shall be paid under this act, nor shall the district veterinarian receive any mileage, except when called in cases of consultation as hereinbefore provided, when he shall receive actual expenses paid by him.

§ 13. PLACE OF QUARANTINE.] The district veterinarians, or their deputies, shall select the place, or places, within their respective districts, at which all animals referred to herein shall be quarantined.

§ 14. FINES.] All fines collected under the provisions of this act shall be paid into the public common school fund.

§ 15. VIOLATION—ATTORNEY GENERAL TO PROSECUTE.] It is hereby made the duty of the Attorney General or states attorney

of the respective counties of the veterinarian district to prosecute any case complained of by the district veterinarian of such district for prosecution in any justice or district court within the jurisdiction of which any violation of this act may have been had, and on conviction of violation of any of the provisions of this act, the court, in addition to the penalties prescribed by law, shall add thereto reasonable attorney's fees as it may determine just in the premises.

§ 16. DUTY OF SHEEP INSPECTORS.] It shall in addition to their duties already defined by law, be the duty of all sheep inspectors, and the district veterinarian shall require all sheep inspectors within their respective districts, to report to them in writing, at the end of each calendar month, any knowledge or information such sheep inspectors may possess relative to any diseased sheep which may be within his own or adjacent counties, within the veterinarian district wherein said county or adjacent counties may form a part, and whenever, in the opinion of the district veterinarian, any sheep inspector within his district is incompetent to, or neglects, or refuses to attend in a proper manner to his duties, the district veterinarian of such district, either in person or by deputy, may take charge of any diseased sheep in such county, and dip and treat them in the manner provided for in the law relating to sheep inspectors—Chapter 135, General Laws of 1885—and the owner, agent or person in charge of said sheep shall be required by the district veterinarian or his deputy, while in the performance of his duty, as set forth in this section, to pay a fee of five dollars per day together with the necessary expenses, and said fees shall be a lien upon the sheep inspected, subject to foreclosure same as chattel mortgages. All fees and other moneys collected by the district veterinarian or his deputy, under the provisions of this act, shall be remitted, turned over and receipted for and placed in the State treasury general fund in the same manner as prescribed by Section 6 of this act.

§ 17. SHEEP INSPECTOR TO ACT—PROVISO.] In all the counties of this State where a sheep inspector has been or may be appointed as provided for by law, the resident sheep therein shall be under the supervision and inspection of such sheep inspector; *Provided, however,* Upon a written application, signed by not less than three sheep owners, the district veterinarian, or his deputy, shall visit such county and take such authority or give such directions as in his judgment is necessary.

§ 18. REPEAL.] All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

§ 19. EMERGENCY.] Whereas, an emergency exists in that the existing law is inadequate to enable the State Veterinarian to prevent the spread of contagious and infectious diseases among domestic animals within this State, and it being deemed necessary to sub-divide the State into veterinarian districts to better facilitate the protection against infectious and contagious diseases and

to enable the State official veterinarians to care for such matters when called upon, that this act should take effect prior to July 1, 1893; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 10, 1893.

VITAL STATISTICS.

CHAPTER 133.

[H. B. No. 108.]

COLLECTION OF VITAL STATISTICS.

AN ACT to Provide for the Collection of Vital Statistics.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. STATISTICS, HOW COLLECTED—WHAT INCLUDED.] The health officer of each city, within the limits of such city, and superintendent of the county board of health of each county in this State, in his county outside of such city, shall obtain and register the following facts concerning the births and deaths occurring therein, separately numbering and recording the same in the order in which he obtains them, designated in separate columns, viz: In the registry of births, the date of birth, the name of the child (if it have any), the sex and the color of the child, the names and places of birth of the parents, and the date of the record; in the registry of deaths, the date of death (the name of the deceased), the sex and color, and the condition, whether single, widowed or married (the age and place of birth), the names and places of birth of the parents, the disease or cause of death, and the date of the record. The county auditor of each county shall furnish each health officer within his county, at the expense of the county, a book in which to register the facts concerning the births and deaths as above provided. And the superintendent of each county board of health shall keep his records in the office of the county judge of said county.

§ 2. NOTICE OF BIRTH OR DEATH—BY WHOM GIVEN.] Parents shall give notice to such health officer of the births and deaths of their children; every householder shall give like notice of every birth and death happening in his house; the oldest person, next of kin, shall give such notice of the death of his kindred; the keeper, or other proper officer, of every workhouse, poorhouse, reform school, jail, prison, hospital, asylum, or other public or charitable institution, shall give like notice of any birth or death happening among the persons under his charge.