

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1957



ENROLLED

HOUSE BILL No. 337

(By Mr. Terry)



PASSED Feb 26, 1957

In Effect July 1, 1957 Passage



ENROLLED

House Bill No. 337

(By MR. TERRY)

[Passed February 26, 1957; in effect July 1, 1957.]

AN ACT to amend and reenact section thirty, article nine, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to appraisal of diseased animals.

Be it enacted by the Legislature of West Virginia:

That section thirty, article nine, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 30. *Appraisal of Diseased Animals; Amount; Arbitration; Fees of Arbitrators.*—The commissioner or his agent shall act as appraiser and appraise each diseased animal within five days prior to the date of slaughter, basing the amount upon the class and market value of the animal at the time of the appraisal, whether for breeding purposes or for milk or meat production. Animals

8 reacting to any approved test, but not exhibiting any
9 physical evidence of disease, shall be appraised without
10 considering the presence of a diseased condition, but
11 animals exhibiting any physical evidence of disease shall
12 be appraised as diseased animals: *Provided, however,*
13 That where indemnities are claimed for animals slaugh-
14 tered on account of being infected with rabies, appraise-
15 ment shall be based on the value of the animals before it
16 became infected. The amount of appraisal for a non-
17 registered equine animal shall not exceed seventy-five
18 dollars, for a registered equine animal one hundred dol-
19 lars, for a nonregistered bovine animal one hundred and
20 fifty dollars, for a registered bovine animal two hundred
21 and fifty dollars, for a nonregistered swine twenty-five
22 dollars, for a registered swine forty dollars, for a non-
23 registered sheep ten dollars, and for a registered sheep
24 twenty-five dollars. If the amount of appraisal of any
25 animal, as determined by the appraiser is not satisfactory
26 to the owner of the animal, a written notice of such fact
27 setting forth the reason for complaint shall be made at
28 once to the appraiser. The amount of the appraisal shall

29 then be determined by arbitration, one to be appointed
30 by the appraiser and one by the owner of the animal. If
31 these arbitrators are not able to agree as to the amount
32 of appraisal, a third arbitrator shall be appointed by them,
33 whose decision shall be final. Each arbitrator shall be
34 paid one dollar for each appraisal of five or less than
35 five animals, and two dollars if more than five animals
36 are appraised. Compensation for the arbitrators appointed
37 by the owner and the appraiser shall be paid by the party
38 appointing such arbitrator, and in case a third arbitrator
39 is chosen, such arbitrator shall be paid by the party
40 against whom the decision is made.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Edmund Cant
Chairman Senate Committee

Thomas O. Welch
Chairman House Committee

Originated in the House of Delegates

Takes effect July 1, 1957 passage.

Thomas H. Caper
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

Ralph J. Bean
President of the Senate

W. E. Jennings
Speaker, House of Delegates

The within approved this the 7th day of March, 1957.

Leif A. Hudnerwood
Governor



Filed in the Office of the Secretary of State
of West Virginia. **MAR 8-1957**
D. PITT O'BRIEN
SECRETARY OF STATE