

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED

SENATE BILL NO. 253

(By Mrs. Hester & Shamp)

PASSED April 12 1955

In Effect July 1 Passage

Filed in the Office of the Secretary of State
West Virginia
MAR 17 1955
D. PITT O'BRIEN
SECRETARY OF STATE

ENROLLED

Senate Bill No. 253

(By MESSRS. MARTIN and STEMPLE)

[Passed March 12, 1955; in effect ninety days from passage.]

AN ACT to amend and reenact section thirty-five, article nine, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to tests for bovine tuberculosis and disposition of infected bovine animals.

Be it enacted by the Legislature of West Virginia:

That section thirty-five, 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 35. *Tests for Bovine Tuberculosis and Disposition of Infected Bovine Animals.*—The commissioner, or
2 his agent, or the inspectors of the United States depart-
3

4 ment of agriculture shall possess authority to test with
5 tuberculin any bovine animal kept within the state, sub-
6 ject to such rules and regulations as the commissioner
7 may prescribe. The tuberculin test shall be applied to
8 bovine animals at such times as may be designated by
9 the commissioner in the control and eradication of bovine
10 tuberculosis in this state, and all cows whose milk is
11 sold for human consumption or manufacture, and all
12 uncastrated beef animals, shall be tested with tuberculin
13 insofar as may be possible.

14 When a bovine animal is found by the officer making
15 the test to give what the commissioner shall have pre-
16 scribed by his rules and regulations to be a clearly de-
17 fined reaction to such test, the animal shall be considered
18 to be infected with bovine tuberculosis, and shall be
19 marked or branded upon the left jaw with a capital "T"
20 not less than two inches high, one and one-half inches
21 wide, with mark one-fourth of an inch wide, and such
22 branding shall not be construed as cruelty to animals
23 within the meaning of the penal laws of the state.

24 All bovine animals within the state which are deemed

25 tuberculous, either as a result of a physical examination
26 or the tuberculin test, shall be slaughtered, and if the
27 owner of any such animal shall demand indemnity there-
28 for, he shall execute the agreement provided for in sec-
29 tion twenty-eight of this article, and such animal shall
30 be appraised as provided in section thirty, and appraisal
31 certificate issued as provided in section thirty-one, and
32 the slaughter supervised and certificate of same issued
33 as provided in section thirty-two of this article.

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

[Handwritten Signature]

Chairman Senate Committee

W.T. Brotherton

Chairman House Committee

Originated in the Senate.

Takes effect _____ passage.

Russell Hayes

Clerk of the Senate

A. Blankenship

Clerk of the House of Delegates

Ralph Bean

President of the Senate

[Handwritten Signature]

Speaker House of Delegates

The within *approved* this the *16*

day of *March*, 1955.

William C. Marland

Governor.



Filed in the Office of the

of West Virginia

MAR 17 1955

D. PITT O'BRIEN

SECRETARY OF STATE