

Sheep, Shipment Of Into State. Veterinary Surgeon, Notice To of Shipment. Protection of Sheep Industry. Inspection, of Sheep Shipped Into State.

The provisions of Sections 1871, 1872 and 1877, Revised Codes, require that persons shipping sheep into this state shall give notice to the state veterinary surgeon who shall proceed to inspect and dip the same and any one "who violates or disregards any of the provisions of this act" may be punished.

January 16, 1912.

Hon. Walter J. Crowell,
Sheep Commissioner,
Dell, Montana.

Dear Sir:

I acknowledge receipt of your letter of the 11th inst., relating to complaint made concerning the shipment of sheep into the State of Montana in violation of the provisions of the state law. Section 1871, Revised Codes, requires the owner or person in charge of the sheep to notify the state veterinarian of Helena, of his intention to ship sheep into this state, and Section 1872 requires such sheep to be dipped.

unless the sheep are merely in transit. Sec. 1877 prescribes a penalty for the violation or disregard of any "of the provisions of this act."

If this same party has heretofore been punished for violation of this law, he cannot plead ignorance of its requirements and if the evidence shows that he is really guilty, he is subject to prosecution and conviction under this law, unless the law should be set aside. My attention is not now called to any reasons why the act should be held illegal and the burden rests upon the defendant to show that the law is void.

Yours very truly,

ALBERT J. GALEN

Attorney General.