

Stock Commissioners, Authority Over Foreign Commission Firms. Live Stock Commission Firms, Duty to Remit.

The state board of stock commissioners is without authority to require a stock commission firm resident of a foreign state to comply with its directions as to the disposition of funds received from sale of cattle.

March 8, 1912.

D. W. Raymond, Esq.,
Sec'y, State Board Stock Commissioners,
Helena, Montana.

Dear Sir:

I acknowledge receipt of your letter of the 1st inst., with which you enclose a letter from Mr. B. H. Graham, a duly appointed stock inspector for the state of Montana, stationed at Sioux City, Iowa, wherein you recite that two live stock commission firms located at Sioux City, Iowa, refuse to be bound by the inspection of Mr. Graham and refuse to send proceeds to persons by him directed, but insist upon sending proceeds of sales to the person designated by the shipper, and you ask:

"Can anything be done in this matter to require these commission firms to send the proceeds of animals according to the

inspector's direction?"

The authority of the legislature of the State of Montana in enacting laws is coextensive with the boundaries of the state and there is no power of which I am aware that will authorize the legislature of the State of Montana or the state board of stock commissioners to require the resident of a foreign state to comply with the laws of the State of Montana within such foreign state and for that reason there is nothing that I know of that can be done to require a commission firm in the State of Iowa to comply with the directions of the state board of stock commissioners of the State of Montana.

I herewith return to you Mr. Graham's letter.

Yours very truly,

ALBERT J. GALEN,

Attorney General.