

Sanitary Board, Livestock. Livestock Sanitary Board, Powers of. Powers, of Livestock Sanitary Board. Veterinary Surgeon, Duties of.

It is within the power and is the duty of the Livestock Sanitary Board, and the Veterinary Surgeon to employ the most efficient and practical means to eradicate and prevent dangerous, contagious, etc., diseases among the livestock of this state. In determining the condition of an animal, it is not necessary to trace the history of the animal as to how or when or by what means it came within the state of Montana, but only to determine its then condition.

Attention directed to Chap. 146, Laws 1911, relating to dairy stock

July 3, 1914.

Hon. W. J. Butler,
State Veterinary Surgeon,
Helena, Montana.

Dear Sir:

On June 9th, 1914, in reply to an inquiry submitted, a communication was addressed to you, relative to the power and authority and method of your department in dealing with tubercular animals shipped into the State of Montana. Your attention is here called to some additional statutes and provisions relating to this same subject. In dealing with cattle found afflicted with any dangerous diseases, there is no duty resting upon your department or that of the live stock sanitary board, to trace the history of the animal, or to institute inquiry as to how it came to the State of Montana, but you may deal with it as an animal found by you within the state.

Your attention is also called to the provision of Section 1888 of the Revised Codes, which confers authority, under Subdivision 3 thereof, to supervise the sanitary conditions of livestock of that state:

"A. To determine and employ the most efficient and practical means to prevent dangerous, contagious, infectious, enzootic, epizootic, or any dangerous non-contagious disease among live stock;

"B. To prevent dangerous, contagious, infectious, enzootic, epizootic or any dangerous, non-contagious disease among livestock;

"C. To suppress dangerous, contagious, infectious, enzootic, epizootic or any dangerous, non-contagious disease among livestock;

"D. To control dangerous, contagious, infectious, enzootic, epizootic, or any dangerous non-contagious disease among live stock.

"E. To eradicate dangerous, contagious, infectious, enzootic, epizootic, or any dangerous non-contagious disease among live stock."

The provisions of this Section, 1888, and of 1889, confer upon the board and upon your department full authority to do any thing that is necessary to protect the live stock of this state, in so far as the suppression, prevention, eradication or control of disease is concerned.

Your attention is also directed to the provisions of Section 4 of Chapter 146 of the laws of 1911, which by its terms, modifies the provisions of Section 1889, which is also proper for the board to consider in exercising the powers conferred upon it by the provisions of Section 1888, but this Section 4 of Chapter 146, Laws of 1911, has reference only to dairy stock.

Yours very truly,

D. M. KELLY,
Attorney General.