

Quarantine. Sheep, Imported. Sheep, Quarantine of. Veterinary Surgeon, Right to Quarantine. Statute, Construction of. Construction of Statute.

It is a violation of law for a person to drive or place unquarantined sheep within the quarantine limits established under the provisions of Section 1872, R. C.

September 12th, 1916.

Honorable W. J. Butler, State Veterinarian,
Helena, Montana.

Dear Sir:—

I am in receipt of your letter of the 27th ultimo, submitting the question:

"Is it a violation of law for a person to drive or place unquarantined sheep within the quarantine limits established under and by virtue of the provisions of Section 1872, R. S. as amended by Chapter 123, Laws of 1913?"

The purpose of quarantine is to protect stock by eradicating and preventing the spread of disease. If the quarantine established under the authority of said Section 1872 may be violated at will, then the law is of not any avail. The provisions of Section 1877 make it an offense for anyone to "wilfully or negligently permit any sheep to be placed within the limits of any quarantined premises." We believe this provision of the law is broad enough to enable the enforcement of the quarantine established under Section 1872. The statement contained in Section 1877 "or any locality prohibited or quarantined under proclamation of the governor" does not necessarily limit the meaning of the preceding clause, but is an addition thereto, and the provisions of the Section making it a misdemeanor to break the quarantine are not limited to quarantines established by proclamation of the governor, but extend to quarantines established under the provisions of said Section 1872.

Yours very truly,

J. B. POINDEXTER,

Attorney General.