

Cattle—Inspection Of, For Slaughter—Expense.

Under Sec. 4 of Chap. 206, Laws of 1919, it is the duty of stock inspectors, and sheriffs when convenient, to make inspections of stock for slaughter, and the expense thereof should be paid out of the general fund of the county.

August 28, 1919.

Hon. E. A. Phillips, Secretary,
Livestock Commission,
Building.

Dear Sir:

I am in receipt of your letter of the 19th instant, in which you request my opinion on the following proposition:

“To carry out the provisions of Chapter 206 of Session Laws of 1919, who are to make the inspections of cattle for slaughter and who shall bear the expense of such inspection?”

The provisions of Chapter 206, Laws of 1919, make it the duty of every person, firm, association or corporation who slaughters and offers for sale or sells meat in this state (excepting the slaughter for one's own use) to obtain a license from the County Clerk and pay therefor the sum of one dollar (\$1.00) per annum, which said license fee shall, when collected, be deposited in the general fund of the county.

Undoubtedly it was the intention of the legislature that the expense of carrying out the provisions of said Act (Chapter 206, Laws 1919) should be paid out of the general fund of the county in which such licenses are issued and such inspection made.

Section 4 of Chapter 206, Laws of 1919, as far as material here, provides:

“* * * it shall be the duty of the stock inspector and sheriff to appoint a sufficient number of deputies or special deputies to administer the provisions of this Act *without undue inconvenience or expense to the public.*”

By reason of the foregoing it is plain that it devolves upon the stock inspectors and sheriffs to make the required inspection without undue inconvenience or expense to the public, and it is my opinion that whenever convenient and expedient a stock inspector or one of his deputies should make these inspections, but where it is more convenient for a sheriff or his deputies, or special deputies, such inspection should be made by them.

I am also of the opinion that to fully comply with the provisions of said Act, the stock inspector and sheriff should appoint a sufficient number of special deputies in the various localities of his county so that the county will not be burdened with an excessive expense for mileage in making these inspections.

You are therefore advised that the expense for carrying out the provisions of Chapter 206, Laws of 1919, should be paid out of the general fund of the county, and that the necessary inspection provided for in said Act should be made by the stock inspector or one of his deputies, or the sheriff or one of his deputies.

Respectfully,

S. C. FORD,

Attorney General.