

a certificate of their inspection for brands as herein required: (provided, however, that the Livestock Commission may authorize said shipments to be made without said inspection, in the event there is an inspection made at destination; and, provided, further, that the provisions of this Act shall not apply to the said stock when driven by the owner from one county to another for the purpose of pasturing, feeding, or changing the range thereof, nor to any stock so removed or taken by any person, association, or corporation, when such stock is used in the ordinary conduct of his business, and such person, association, or corporation has been the owner of said stock to be removed for at least three months.)"

You will note that the inspection for brands must be made at the point of shipment or removal unless the Livestock Commission issues its authorization to the shipper for the inspection at place of destination, and the act further excepts stock driven by the owner from one county to another for grazing or feeding, and still further excepts stock taken into another county by one who has been the owner for at least three months when such stock is used in the ordinary course of his business. Anyone not coming under any of these exceptions must obtain a certificate of inspection before shipment or removal, otherwise he is liable for the penalty provided by section 3327, *id.*

By Chapter 69, Laws of 1933, it is made mandatory on Stock Inspectors and Sheriffs to report all such inspections to the Livestock Commission within five days.

Opinion No. 329

Livestock—Inspection—Penalties— Shipment, Certificate of Inspection Necessary.

HELD: Anyone not coming under the exceptions provided for in Sec. 3324, as amended, is liable for the statutory penalty if he does not obtain a certificate of inspection before shipment or removal of cattle from one county to another.

August 28, 1933.

You request my opinion relative to the removal of livestock from one county to another.

The matter is provided for by section 3324, R. C. M. 1921, as amended by Chapter 26, Laws of 1923, which is as follows:

"Section 3324. From and after the passage of this Act, it shall be the duty of any and all persons, associations or corporations removing or taking livestock or meat cattle from one county to another within this state by railroad, or in any other manner whatsoever, to cause the same to be inspected for brands by a state stock inspector, and no railroad company shall accept such livestock for shipment, unless the shipper shall produce