

Opinion No. 181.**Livestock—Livestock Sanitary Board
—Cattle—Diseased Cattle,
Movement of.**

HELD: Diseased animals may be moved from one county to another under quarantine and restrictions provided by the Montana Livestock Sanitary Board.

October 3, 1935.

Dr. W. J. Butler
State Veterinary Surgeon
The Capitol

You have submitted the following:

"Is there any Montana statute prohibiting the movement of diseased cattle from one county to another?"

"May diseased animals be moved from one county to another under quarantine and restrictions provided by the Montana Livestock Sanitary Board?"

It was held by Attorney General Ford, in Volume 7, Opinions of the Attorney General, p. 106, that, under the provisions of Section 25, Chapter 157, Laws of 1917, the Montana Livestock Sanitary Board had no authority to permit a tubercular animal to be moved from one county to another for any purpose except immediate slaughter. Said Chapter 157, however, was repealed by Chapter 262, Laws 1921, (see Section 3295, R. C. M.). I find no statute now in force prohibiting the movement of diseased cattle from one county to another.

Answering your second question, under the broad powers given to the Montana Livestock Sanitary Board in Sections 3267 and 3268, R. C. M., I am of the opinion that diseased animals may be moved from one county to another under quarantine and restrictions provided by the Montana Livestock Sanitary Board.