

cate covering the last six months of 1935, and the first six months of 1936. The certificate itself is merely evidence of the license and failure to issue it would not affect the situation of the licensee.

"2. Second, if the licenses of those dairymen are in effect for the first six months of 1936, is the Montana Milk Control Board then justified in effecting cancellation of such licenses for non-compliance with the rules and regulations of the Board within the six months period, beginning January 1, 1936?"

This question should be answered in the affirmative. The Board may cancel the license for cause as provided by Section 8, Chapter 189, Laws of 1935.

"3. Third, if the licenses issued on July 1, 1935, carrying an expiration date of January 1, 1936, are not in effect for any part of the year 1936, due to the expiration date shown on these licenses, then, and in that event, what action is necessary on the part of the Milk Control Board to establish, beyond a question of doubt, the fact that dairymen in this trade area, operating in violation of the rules and regulations of the Board, are so doing without the necessary license, as prescribed by the law creating the Montana Milk Control Board?"

In view of our answers to the foregoing questions, no answer to your third question is required.

**Opinion No. 256.**

**Milk Control Board—Licenses.**

HELD: Milk Control Licenses issued July 1, 1935, are good until July 1, 1936, even though carrying an expiration date of January 1, 1936.

February 29, 1936.

Mr. G. A. Norris  
Commissioner, Montana Milk  
Control Board  
The Capitol

You have submitted three questions:

"1. First, are the licenses which were issued on July 1, 1935, and which licenses carried an expiration date of January 1, 1936, still in effect?"

Since the license fee paid covered a period of twelve months, in my opinion the licenses would be in effect for the same period. The Board should have issued a license certifi-