

Opinion No. 24.**Livestock—Livestock Markets, What Constitutes.**

HELD: Livestock sales on Saturday afternoons, lasting about four hours, totalling about \$250 a week for livestock sold on consignment constitutes a livestock market within the meaning of Chapter 52, Laws of 1937.

March 2, 1939.

Mr. Paul Raftery
Secretary, Livestock Commission
The Capitol

Dear Mr. Raftery:

You have asked my opinion on the question whether the following facts describe a livestock market within the meaning of Chapter 52, Laws of 1937:

“The livestock sales comprise about one-third of the total proceeds of these weekly sales which are held Saturday afternoons lasting about four hours. The total amount of livestock sales are about \$250.00 per week, that is, livestock sold on consignment. We buy and sell as our own most of the livestock handled here.”

Section 2 b, Chapter 52, Laws of 1937, describes the term “livestock market” in the following language:

“The term ‘livestock market’ shall mean a place where a person, partnership or corporation shall assemble livestock for either private or public sale. Such service is to be compensated for by owner, on a commission basis. * * *.”

Then follow five exceptions but the above business description does not fall within any of these exceptions. There is nothing in the statute regarding the amount of sales necessary to constitute a livestock market. While the business may be small, on the facts stated we are compelled to advise that the business described constitutes a livestock market within the meaning of said Chapter 52.