

1 *Senate* BILL NO. *55*
 2 INTRODUCED BY *Robt Manley Deane*
 3 BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

4 A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING AMBIGUITIES IN
 5 STATUTES PERMITTING THE SLAUGHTER OF LIVESTOCK BEARING
 6 ALTERED BRANDS TO DETERMINE PROPER OWNERSHIP; AMENDING
 7 SECTIONS 46-706 AND 46-708, R.C.M. 1947."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 46-706, R.C.M. 1947, is amended to
 11 read as follows:

12 "46-706. Brands fraudulently changed. Whenever a mark
 13 or brand upon any neat cattle, horse, or other ~~animals~~
 14 animal has been fraudulently altered, obliterated, or
 15 defaced, so that the original mark or brand cannot be
 16 determined through the external inspection thereof, any
 17 stock inspector or sheriff may seize and kill ~~said the~~
 18 animal to ascertain the mark or brand so altered or defaced,
 19 ~~upon paying to the owner the value of said animal. Payment~~
 20 equal to the value of the slaughtered animal shall be made
 21 after proper ownership is determined."

22 Section 2. Section 46-708, R.C.M. 1947, is amended to
 23 read as follows:

24 "46-708. Action by dissatisfied owner -- costs. Should
 25 the owner of the animal so seized and killed feel

1 dissatisfied with the valuation made, he may maintain an
 2 action against ~~said officer seizing said animal the~~
 3 department or, if the animal is seized by a sheriff, against
 4 that sheriff's county, and should he fail to recover damages
 5 in any greater amount than that allowed under section
 6 46-707, he shall bear all costs that may be incurred in the
 7 maintenance of ~~said the~~ the action."

-End-

Approved by Committee
on Agriculture Livestock
& Irrigation

SENATE BILL NO. 55

INTRODUCED BY GALT, HANLEY, DEVINE

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Section 2. Section 46-708, R.C.M. 1947, is amended to read as follows:

"46-708. Action by dissatisfied owner -- costs. Should the owner of the animal so seized and killed feel

dissatisfied with the valuation made, he may maintain an action against ~~said officer seizing said animal the~~ department or, if the animal is seized by a sheriff, against that sheriff's county, and should he fail to recover damages in any greater amount than that allowed under ~~section~~ 46-707, he shall bear all costs that may be incurred in the maintenance of ~~said the~~ action."

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-End-

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