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STATE OF NEVADA

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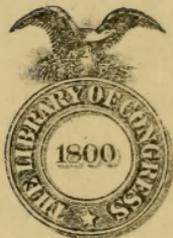
Laws of Nevada
Directly Applicable to the
Livestock Industry

Compiled and Published by the
STATE BOARD OF STOCK COMMISSIONERS
1920



Printed at
STATE PRINTING OFFICE—JOE FARNSWORTH, SUPERINTENDENT
CARSON CITY, NEVADA





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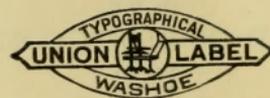
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INTRODUCTION

The preparation of this pamphlet, containing in compact and simple form the laws of Nevada now in effect for the regulation and protection of the livestock industry, was prompted largely by the fact that the attempts of this Board to secure better enforcement of the laws for the protection of the industry and the statements made by various livestock raisers at meetings of the Nevada Livestock Association made it plain that very few private individuals or peace officers had any very clear idea of the laws actually available for the protection of the livestock industry. This condition is not to be wondered at in view of the fact that the laws in question have been enacted from time to time over a long period of years, and have had many amendments and nullifications by specific repeal or subsequent legislation counter to their provisions.

The livestock industry constitutes such a large portion of the total industrial activities of the State of Nevada and its ramifications are so widespread and extensive that it may well be said that practically all the state statutes affect some aspect of it directly or indirectly, making it very difficult to decide what to include in a compilation of this sort; so that somewhat arbitrary lines had to be drawn in this connection, including only those statutes and portions of same concerned entirely or principally with the productive aspects of the industry.

Some of the groups of laws largely or entirely omitted to which attention may be called and which may be of interest to livestock raisers, especially the larger operators, are those relating to general agriculture; horse-racing; pure food and drugs; the development, location, and use of water; lands; labor; industrial insurance; general civil and criminal practice; state revenue, etc. Those especially interested in the laws relating to these subjects can generally obtain detailed information from the various departments of the State and Federal Governments charged with their administration, some of which have, in fact, prepared compilations similar to this for general distribution.

As this publication is intended primarily for the use of laymen, the grouping of the various laws and the preparation of the index have been carried out in a manner intended to make the desired information most accessible to them, rather than along strictly legal lines.

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LAW CREATING THE STATE BOARD OF STOCK COMMISSIONERS

Sections 1 - 23

An Act relating to cattle, horses, and hogs, and regulating such stock, creating a state board of stock commissioners, defining their duties, and matters properly relating thereto.

Approved March 26, 1915, 396

1. Board created.

SECTION 1. The state board of stock commissioners is hereby created.

2. How composed—Oath—Bond—Salary—Meetings—Terms.

SEC. 2. The state board of stock commissioners, hereinafter called the board, shall consist of three (3) members, all of whom shall be experienced stockmen, no two of whom shall be from the same county, said members to be appointed by the governor, and to hold office for four years, and until their successors are duly appointed and qualified, except as herein provided. Each of said commissioners, before entering upon the duties of his office, shall take and subscribe to the constitutional oath of office and enter into a bond with at least two sureties in the penal sum of twenty-five hundred dollars (\$2,500), payable to the State of Nevada, and conditioned for the faithful performance of the duties of his office, which bond shall be approved by the governor, and filed in the office of the secretary of state. The members of the board shall each receive for their services three hundred dollars (\$300) per annum and actual transportation expenses while in the discharge of their duties. Said salary and expenses shall be paid from the state treasury. Each member of said board shall be a qualified elector of the county from which he is chosen, and must reside during his term of office within the state. Said board must hold meetings quarterly, and oftener if requested by any member of the board; *provided*, that upon the termination of the term of office of the persons now constituting said board, that the governor shall appoint three persons as members of said board, the terms of such appointments and the appointees to serve on said board for the period of two, three, and four years, respectively, as indicated in the appointments; that thereafter the members shall be appointed and serve for a term of four years as herein provided. *As amended, Stats. 1919, 41.*

3. Officers—Powers and duties.

SEC. 3. Subdivision A. The board shall elect one of its members president, and is empowered to make rules and regulations for governing itself, and for the enforcement of the provisions of this act, and shall have control of all matters pertaining to the cattle, horse, and hog industry. It may, in conjunction with the state quarantine officer, adopt on behalf of the state rules and regulations of the United States bureau of animal industry relating to the control and suppression of disease in said stock, and to cooperate with the officers of said bureau

in the enforcement of such rules and regulations. The board is granted and has full authority and power for the inspection, quarantine, and condemnation of cattle, horses and hogs affected with any infectious or contagious diseases, and is authorized and empowered to enter upon any ground or premises of this state for the purpose of enforcing the inspection, quarantine and condemnation laws of this state. The board is authorized to give the state quarantine officer, or his representatives or his agents, duly approved by the board, or any other person or persons, full authority and power for the inspection, quarantine, and condemnation of cattle, horses, or hogs affected with any infectious or contagious disease, and is authorized and empowered to enter upon any ground or premises of this state for the purpose of enforcing the inspection, quarantine and condemnation laws and all the rules, regulations and orders of this board.

Subdivision B. The board may make, execute, and enforce such rules, regulations, and other measures as it considers necessary for the control and eradication of infectious or contagious diseases of the animals under its jurisdiction which constitute a menace to the health of live stock or human beings within the state; *provided*, that the said rules, regulations, and other measures shall be approved by the state quarantine officer before becoming effective. Upon recommendation of the state quarantine officer the board may order and have destroyed any animals or animal under its jurisdiction infected with or exposed to any infectious or contagious disease a menace to other stock or human beings.

The board shall, out of the funds at its disposal, compensate the owner or owners of any stock so destroyed either separately or jointly with any county or municipality of the state or the bureau of animal industry of the United States department of agriculture, the amount of such compensation to be determined by appraisal before the affected stock is destroyed, this appraisal to be made by the state quarantine officer or a properly qualified agent designated by him and the owner or owners or their authorized representative. In the event of their failure to arrive at an agreement, the two so selected shall designate some disinterested party, who by reason of experience in such matters is a qualified judge of livestock values, to act with them. The judgment of any two of these appraisers shall be binding and final upon all parties; *provided*, that the total amount received by the owner or owners of stock so destroyed, including compensation paid by the board, any county or municipality or the bureau of animal industry of the United States department of agriculture, or any livestock insurance company, the salvage received from the sale of hides or carcasses or any other source, combined, shall not exceed 75 per cent of the actual appraised value of the destroyed stock, due allowance being made in such appraisal for their reduced value, owing to disease; *provided further*, that any individual or corporation purchasing any live stock which was at the time of purchase under quarantine by any state, county or municipal authorities or the bureau of animal industry of the United States department of agriculture legally empowered to lay such quarantine, or who purchases any which due diligence and caution would have shown to be diseased or which have been shipped or transported in violation of the rules and regulations of the

bureau of animal industry of the United States department of agriculture, or the State of Nevada, shall not be entitled to compensation and the board may order their destruction without making any compensation to the owner; *and provided further*, no payment shall be made hereunder as compensation for or on account of any such animal destroyed if at the time of inspection or test of such animal or at the time of the ordered destruction thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered; *and provided further*, that in no case shall any payment hereunder be more than \$75 for any grade animal or more than \$200 for any purebred animal, and no payment shall be made unless the owner has complied with all quarantine rules and regulations of the board.

Subdivision C. The board shall have power to order the state quarantine officer to have inspected or quarantined any stock in the state infected with, suspected of being or which have been exposed to a contagious or infectious disease a menace to human beings or other live stock, compel treatment at such times and as often as he deems necessary to insure the suppression of disease. The board may divide the state into such districts as may be necessary for the enforcement of this act. The state quarantine officer shall, upon direction of the board, quarantine and compel the cleaning and disinfection of any corrals or place where stock is handled, and when owners or persons in charge of such corrals fail or refuse to clean and disinfect such places or corrals the board shall have the power to clean and disinfect them, the expense of which shall be paid by the owner or person in charge, and shall be a lien on such place or corral until the expense is paid. All general orders, rules, or regulations made as herein provided and applying to the entire state, a county or a district, must be published at least twice in some newspaper having general circulation in the county or the district affected by the order, which shall constitute a legal notice of the order made upon all stockmen owning or having in charge cattle, horses, or hogs.

Subdivision D. The board shall maintain an office at some point within this state to be determined by the board. The cost of maintenance of such office shall be paid from the state treasury in the same manner as the salaries and expenses of state officers are paid.

Subdivision E. The board may appoint an executive officer to exercise and enforce all rules and regulations of the board and the provisions of this act when the board is not in session; *provided*, said executive officer, when an emergency demands and the board is not in session, may exercise all the powers and functions of the board. Such executive officer shall be one of the members of the board or the state quarantine officer.

Subdivision F. The board shall fix the rate of tax to be levied, as provided for in section four of this act, at any regular or special meeting of the board, and shall send notice of the same to the county commissioners of the several counties of the state on or before the first day of March of each year. The board shall audit all bills of salaries and expenses incurred in the enforcement of this act that may be payable from the stock inspection fund, and, if found correct, shall certify the

same to the state controller, who shall draw a warrant on the state treasury in favor of the parties entitled thereto. The board shall make a report in writing to the governor on or before the 15th day of January, biennially, giving a statement of the transactions of the board, the facts relating to the condition of the stock industry of this state, and the state printer shall print said report for distribution by the board the same as similar reports, and without charge. *As amended, Stats. 1919, 42.*

4. Tax for stock inspection fund.

SEC. 4. The board of county commissioners, at the time of the annual levy of taxes, must, at the request of the board, levy the rate of tax recommended by the board, not to exceed six (6) mills on the dollar per annum, on all cattle, horses, and hogs assessed in their respective counties, according to the assessed valuation of the same, the said tax to be collected as other taxes, and paid to the state treasurer, who must keep the same in a separate fund to be known as the stock inspection fund.

The board may invest any surplus or reserve money in said fund in United States, state or county bonds of Nevada, such bonds to bear interest at a rate of not less than four per cent (4%) per annum: the state treasurer may, with the approval of the state board of examiners, deposit all reserve funds not so invested with banking corporations of the State of Nevada, upon the filing of approved securities, at a rate of interest of not less than three per cent (3%) per annum. All revenue derived from interest on such funds and bonds to be collected by the state treasurer and deposited in the stock inspection fund account. *As amended, Stats. 1919, 45.*

5. Duties of county officers.

SEC. 5. The county assessor must, on or before the first Monday in September of each year, prepare from the assessment book of such year, as corrected by the board of county commissioners, a statement showing the total number of all said stock assessed, and the value of same. And the county treasurer must notify the state board of stock commissioners of all moneys forwarded to the state treasurer belonging to the state stock inspection fund at the time said moneys are forwarded to the state treasury. Also make final report to said board at the time he makes settlement with the state controller.

6. Board to enforce act—Stock inspectors—Inspection record.

SEC. 6. The board shall have charge of the enforcement of the provisions of this act, and of the rules and regulations made as herein provided. The board shall appoint such inspectors as may be necessary, and said inspectors, before entering upon the duties of their office, shall file a bond in the sum of one thousand dollars (\$1,000), payable to the state, for the faithful performance of their duties, with and to be approved by the board. Such inspectors shall be paid from the stock inspection fund. The board and each inspector must keep a book, to be known as the inspection record, in which they must enter their official acts. Such record must show the name of the owner of all horses, cattle, and hogs inspected, and the time when and place where the same were inspected. Inspectors shall have the right at all times to enter any premises, farms, fields, pens, slaughter-houses, buildings,

or cars, where any of said stock are quartered, for the purpose of examining them, in order to determine whether they are affected with any infectious or contagious disease. All inspectors and their deputies shall have the same powers and authority of peace officers. The board shall have the power to order an inspector to quarantine any corral, pens, slaughter-houses, buildings and cars where stock may have been handled, and compel the cleaning and disinfecting of the same when deemed necessary for the purposes of this act. Where owners or persons in charge of such places refuse to clean and disinfect them, the inspector shall have the right to take charge of such places, and cause the same to be cleaned and disinfected, the expense of which must be paid by the owner or person in charge, and shall be a lien upon such premises, corrals, pens, slaughter-houses, buildings, cars, etc., until such expense is paid.

7. Bounties for killing certain animals.

SEC. 6A. The board is authorized and empowered to offer and pay bounties out of its funds for the killing and destruction of the following-named animals, killed in the State of Nevada, to wit: For each coyote or coyote pup, seventy-five (75c) cents; for each wildcat or lynx, seventy-five (75c) cents, and for each mountain lion, five (\$5) dollars. Any person killing any of the aforesaid animals in order to obtain the bounty provided for herein, shall within ninety (90) days of the date of the killing, present or cause to be presented by his duly authorized agent, to the county clerk of the county in which said animal or animals have been killed, the entire skin of each of said animal or animals, which skin includes and must have attached thereto all four of the paws, or feet, the tail and the skin of the head, eye-holes and skin to tip of nose; and shall at the same time make and file with the said county clerk an affidavit, which said affidavit shall state: First, the kind of animal or animals from which said skin or skins were taken and the number of skins presented; second, that the county in which said animal or animals were killed is the county in which their skins are presented for payment of a bounty; third, that said animal or animals from which said skins were taken were not bought or received dead or alive, from any other county or state; fourth, that said animals were killed within ninety (90) days from the date of making of said affidavit; fifth, that said animal or animals were killed in such county and in the State of Nevada; and, sixth, that the same were not fostered or whelped in captivity prior to the killing thereof. The said county clerk may, if he deems it advisable, require of such applicant for bounty such other corroborative testimony as to him seems proper concerning the truth set forth in such affidavit; *provided*, that when in doubt as to the kind of skin or skins presented, the order shall be issued for the lesser bounty. The county clerk shall cut off the four (4) paws or feet at the knee and destroy them. The said county clerk shall then certify to the said board that he received the said hides, that the required affidavit or affidavits have been made, and that he has destroyed the fore feet, in conformity with law, and also certify the name of the animals killed, the number, where killed and by whom and the bounty due. The board shall forthwith remit the bounty due to the party presenting the same and at the same time notify the said county clerk of the forwarding of said bounty so paid.

8. Inspectors must report.

SEC. 7. Inspectors shall report to the board in writing as often and at such times as may be requested by said board.

9. Bill of health by inspector, when—"Stock" defined.

SEC. 8. Each inspector must inspect all the horses, cattle, and hogs, within the district assigned to him, when so ordered by the board, and must make and issue certificate or bill of health for all of said stock whose owners have complied with the law and the orders, rules, and regulations made and adopted by the board describing the stock with the marks and brands thereon, which shall entitle the owner or agent in charge to pass with such stock from one district to another in the state. The inspector shall immediately file with the board a duplicate of all certificates issued by him. The term "stock" shall include horses, cattle, and hogs.

10. Board must be notified of disease.

SEC. 9. Whenever any stock shall become infected with any infectious or contagious disease, the owner or agent in charge, the inspector appointed as herein provided, or any practicing veterinary, must immediately notify the board and the state quarantine officer.

11. Quarantine regulations.

SEC. 10. When stock is found diseased, regulation for their quarantine must be made at once by the state quarantine officer, upon notification by the inspector of the district where such stock is found, who must define the place and limits within which such stock may be grazed, herded, or driven, and such stock must be held in quarantine until pronounced cured from disease by the state quarantine officer. The expense of treating, feeding, and taking care of all stock quarantined under the provisions of this act must be paid for by the owner or agent in charge of such stock; and such expense shall be a lien upon such stock until paid.

12. Stock vaccinated on order of board.

SEC. 11. All stock must be vaccinated when necessary at such time as may be ordered by the board. Any person, firm, company or corporation refusing to comply with and observe the provisions of this act or the orders, rules and regulations of said stock board shall be guilty of a misdemeanor, and liable to the fines and punishment hereinafter provided.

13. Entry of foreign stock—Board must be notified.

SEC. 12. When any owner or person in charge of stock shall bring such stock into this state, before entering from an adjoining state or territory, for the purpose of grazing, or feeding, they shall notify the board and state quarantine officer, in writing, of such fact immediately before entering the state, stating the time when and the place where such stock shall enter; *provided, however,* that stock in transit on the cars shall not be required to give notice unless they shall remain in the state, or are unloading to feed and rest for a longer period than forty-eight hours.

14. Infected stock not to be moved.

SEC. 13. In no case shall any stock suffering from contagious or infectious diseases be removed from one point to another within any district, or from one district to another without a written permit from the board and state quarantine officer.

15. Secretary of board.

SEC. 14. The said board shall appoint a secretary, prescribe his duties, and fix his salary at a sum not to exceed eight hundred (\$800) dollars the year, payable as the salaries of other state officers are paid. Said secretary to hold his position during the pleasure of the board.

SEC. 15. [Stats. 1915, 401, repealed, Stats. 1919, 45.]

16. Appropriation to be repaid.

SEC. 16. That the sum of ten thousand dollars is hereby appropriated, out of any moneys not otherwise appropriated, from the general fund, for the purpose of carrying this act into effect. All moneys so appropriated to be returned into the general fund from such taxes as may be levied upon the stock as herein provided.

17. Penalty for violation.

SEC. 17. Any person who violates any provision of this act, or who disregards any order or direction made by the board or inspectors in accordance therewith, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding three hundred dollars (\$300), or by imprisonment not exceeding six months, or by both such fine and imprisonment.

18. Board to cooperate.

SEC. 18. The state board of stock commissioners shall act in conjunction with the state veterinary control service of the University of Nevada in the general enforcement of rules and regulations looking to the diagnosis, control, eradication, and prevention of infectious, contagious or communicable diseases of domesticated animals, as included in this act. In so far as the duty imposed by the board of stock commissioners requires a regulation of interstate and intrastate movement of domesticated animals infected with, or which have been exposed to, infectious, contagious, or communicable diseases, the board shall act in conjunction with the state veterinary control service department of the University of Nevada; and the laboratory of the said state veterinary control service department of the University of Nevada shall be at the service of the said state board of stock commissioners, to render such scientific assistance as it can, in order to accomplish the purposes contemplated in this act. Whenever any of the employees in the department of the state veterinary control service of the University of Nevada are employed upon duty required of them by the said state board of stock commissioners, they shall be paid, from the stock inspection fund, for their services pro rata as to the time which has been spent in this service, and at a rate which shall compensate them on the same basis of salary or wages paid to them regularly by the board of regents of the University of Nevada.

19. May prosecute thieves and offer rewards.

SEC. 19. The board may take all necessary and lawful steps, procure all necessary and lawful process for the attendance of witnesses, and employ counsel to assist in the prosecution of any person charged with stealing cattle, horses, or hogs, for violating the laws of the state for the protection of the rights and interests of owners of live stock, under the jurisdiction of this board, and also to advise and assist in the administration of this act, the cost and compensation thereof to be paid out of the funds of the commission. The board may also offer a standing reward or a reward for each class of stock included under this act, of not to exceed \$500, for information leading to the arrest and conviction of each person engaged in stealing cattle, horses, or hogs, the reward to be paid to the person or persons giving the information leading to the arrest and conviction of such person or persons immediately upon the conviction of and imprisonment in the state prison of the person or persons so arrested. The board shall make such further conditions and rules in connection with offering said rewards and the payments thereof as it may deem proper. *As amended, Stats. 1919, 45.*

20. "Horse" defined.

SEC. 19½. The word "horse" or "horses," wherever used or employed in this act, shall mean and be construed to mean and include mules, jackasses, jennets, and what are usually called horses. *Added, Stats. 1919, 45.*

21. Board to appoint inspectors and detectives.

SEC. 20. The state board of stock commissioners may appoint such stock inspectors and detectives as are necessary for the protection of the livestock interests of the state, and the inspectors and detectives have the same power as sheriffs to summon a posse when necessary, and to make arrests. The stock inspectors and detectives may, when deputized by the sheriff, exercise the powers of deputy sheriff, but must not receive any fee or emolument therefor from the state or any county.

22. Duties of inspectors and detectives.

SEC. 21. It is the duty of the stock inspectors and detectives to arrest all persons who in their presence violate the stock laws of the state, and every stock inspector and detective, upon information that any person has committed any offense against the laws of the state in feloniously branding or stealing any stock or any offense against the laws of the state, for the protection of the rights and interests of stock owners, must make the necessary affidavit for the arrest and examination of such person, and, upon warrant issued therefor, immediately arrest such person, and bring him before the proper officer, and notify the board of his acts. Said inspectors shall also inspect all stock or cattle about to be shipped from the state, and the consignor, upon demand, shall establish fully his title to such stock.

23. Each section of act independent.

SEC. 22. Each section of this act and every part of each section is hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be void or ineffective for

any cause shall not be deemed to affect nor shall it affect any other section or any part thereof. *Added, Stats. 1919, 46.*

NOTE—This Act authorizes the Board to make and enforce certain regulations dealing with animal disease control, etc., and offer certain rewards for the apprehension of stock thieves, etc. As these are subject to change at any time, those now in effect are not included in this compilation. For information regarding same, communicate with Executive Officer, State Board of Stock Commissioners, University of Nevada, Reno, Nevada.

LAW CREATING THE STATE BOARD OF SHEEP COMMISSIONERS

Sections 24 - 54

An Act regulating the sheep industry in the State of Nevada, creating a state board of sheep commissioners, defining their powers and duties, prescribing their compensation, and providing penalties for the violation hereof.

Approved March 25, 1919, 134

24. Board created.

SECTION 1. That a state board of sheep commissioners be and the same is hereby created.

25. Number of members—Bonds—Salaries—Meetings.

SEC. 2. The state board of sheep commissioners, hereinafter called the board, shall consist of three (3) members, all of whom shall be experienced wool-growers, and no two of whom shall be from the same county, said members to be appointed by the governor, and to hold their office for four years, and until their successors are duly appointed and qualified. Each of said commissioners, before entering upon the duties of his office, shall take and subscribe to the constitutional oath of office and enter into a bond with sufficient surety or sureties in the penal sum of twenty-five hundred dollars (\$2,500), payable to the State of Nevada, and conditioned for the faithful performance of the duties of his office, which bond shall be approved by the governor, and filed in the office of the secretary of state. The members of the board shall each receive for their services five hundred dollars (\$500) per annum and actual transportation expenses while in discharge of their duties. Said salaries and compensation shall be paid from the state treasury in the same manner as the salary of state officers. Each member of said board shall be a qualified elector of the county from which he is chosen, and must reside during his term of office within the state. Said board must hold their meetings annually, and oftener if so requested by any member of the board.

26. Duties of board.

SEC. 3. The board shall elect one of its members president. The said board is empowered to make rules and regulations for governing itself, and such rules and regulations as it may deem necessary for the

enforcement of the provisions of this act, and shall have exclusive control of all matters pertaining to the sheep industry. It shall be empowered to make and enforce rules and regulations for the quarantining, dipping, or any other treatment of sheep which may be infected, affected, or infested with scabies, ticks, lice, or any other parasites detrimental or injurious to sheep, or any infectious or contagious disease of sheep, and for the speedy and effective suppression and extirpation of infectious or contagious diseases, scabies, ticks, lice, or other parasites detrimental to sheep, as are not in conflict with the provisions of this act.

The board is authorized to appoint an inspector in charge, whose duties and powers shall be defined and prescribed by said board, which said officer, before entering upon the duties of his office, shall execute and file a bond in the sum of one thousand dollars (\$1,000), payable to the State of Nevada, for the faithful performance of his duties, with and to be approved by the board. The inspector in charge shall receive such compensation as may be allowed by said board and actual and necessary expenses incurred in the performance of his duties. The inspector in charge shall be at all times subject to the authority of the board and shall have the same powers hereinafter provided for all other inspectors appointed by the board under this act.

The board shall appoint a secretary, prescribe his duties, and fix his salary, which shall not exceed seven hundred and fifty dollars (\$750) per annum. The board shall maintain an office at some point within this state to be determined by the board. The maintenance of such office and the secretary's salary shall be paid from the state treasury in the same manner as the salary and expenses of state officers. The board shall fix the rate of tax to be levied, as provided for in section four of this act, and shall send notice of the same to the county commissioners of the several counties of the state on or before the first day of August of each year. The board shall audit all bills of salaries and expenses incurred in the enforcement of this act that may be payable from the sheep inspection fund, which shall be audited, allowed and paid as other claims against the state. The board shall make an annual report in writing to the governor on or before the thirtieth (30th) day of November in each year, giving a statement of the transactions of the board, and facts relating to the condition of the sheep industry in this state.

The board shall have power to order an inspection or quarantine of any sheep in the State of Nevada, compel dipping or other treatment of sheep at such times and as often as it deems necessary to insure the suppression or eradication of scabies, ticks, lice or other parasites detrimental to sheep, or any infectious or contagious disease of sheep, and divide the state into such districts as may be necessary for the enforcement of this act, which said districts shall be under the supervision of one of the commissioners.

The board shall have the power to quarantine and compel the cleaning and disinfecting of any shearing or dipping corrals or places where sheep are handled, and when owners or persons in charge of such corrals or places fail or refuse to clean or disinfect such corrals or places the board shall have power to order the inspector to take charge of such corral or place and clean and disinfect it, the expense of which

shall be paid by the owner or person in charge, and shall be a lien on such corral or place until the expense is paid.

All orders, rules or regulations made by the board must be published at least twice in some newspaper having general circulation in the state, which shall constitute legal notice upon all owners of sheep and other persons of the order made.

27. Annual tax.

SEC. 4. The board of county commissioners, at the time of the annual levy of taxes, must, at the request of the board, levy the rate of tax recommended by the board, not to exceed six (6) mills on the dollar, on all sheep assessed in their respective counties, according to the assessed valuation of the same, the said tax to be collected as other taxes and paid to the state treasurer, who must keep the same in a separate fund to be known as the sheep inspection fund.

28. Duties of county officers.

SEC. 5. The county assessor must, on or before the first Monday in September of each year, prepare from the assessment book of such year, as corrected by the board of county commissioners, a statement showing the total number of all sheep assessed and the value of the same. And the county treasurer must notify the state board of sheep commissioners of all moneys forwarded to the state treasury belonging to the state sheep inspection fund at the time said moneys are forwarded to the state treasury. Also make final report to said board at the time he makes settlement with the state controller.

29. Duties of board.

SEC. 6. The board shall have charge of the enforcement of the provisions of this act, and of all rules and regulations made and adopted by it. The board shall appoint such inspectors as may be necessary, and said inspectors, before entering upon the duties of their office, shall file a bond in the sum of one thousand dollars (\$1,000), payable to the state, for the faithful performance of their duties with and to be approved by the board. Such inspectors shall receive five dollars (\$5) per diem, and actual and necessary transportation expenses incurred in the performance of their duty, to be paid from the sheep inspection fund. The board and each inspector must keep a book, to be known as the inspection record, in which they must enter their official acts. Such record must show the name of the owner of every flock of sheep inspected, and the time when and the place where the same was inspected. Inspectors shall have the right at all times to enter any premises, farms, fields, pens, slaughter-houses, buildings, cars, or railroad cars, where any sheep are quartered, for the purpose of examining them for the purpose of determining whether they are infected with any infectious or contagious disease. All inspectors and their deputies shall have the same powers and authority of peace officers. The board shall have the power to order an inspector to quarantine any corral, pens, slaughter-house, building, cars, and railroad cars where sheep may have been handled, and compel the cleaning and disinfecting of the same, when deemed necessary for the purposes of this act. Where owners or persons in charge of such places, corrals, pens, slaughter-houses, buildings, cars, and railroad cars refuse to clean and

disinfect them, the inspector shall have the right to take charge of such places, corrals, pens, slaughter-houses, buildings, cars, and railroad cars, and cause the same to be cleaned and disinfected, the expense of which must be paid by the owner or person in charge, and shall be a lien upon such premises, corrals, pens, slaughter-houses, buildings, cars, etc., until such expense is paid.

30. Inspectors to report.

SEC. 7. Inspectors shall report to the board in writing as often and at such times as may be requested by the board.

31. Duties of inspectors.

SEC. 8. Each inspector must inspect all the sheep within the district assigned to him, when so ordered by the board, and must make and issue a certificate or bill of health for all sheep whose owners have complied with the law and the orders, rules and regulations made and adopted by the board, describing the sheep with the marks and brands thereon, which shall entitle the owner or agent in charge to pass with such sheep from one district to another in the state. The inspector shall immediately file with the board a duplicate of all certificates issued by him. The term "sheep" shall include goats, lambs, and kids.

32. Diseased sheep destroyed, when—Proviso.

SEC. 9. When sheep become infected with foot-and-mouth disease, or any incurable, infectious, or malignant disease, said board has the authority, if necessary, to order such diseased sheep destroyed; *provided*, in case said board orders sheep killed, it shall pay to the owner thereof, out of any funds it has on hand, one-half the market price of said sheep; *provided, further*, said board shall not at any time pay more than four (\$4) dollars the head for any one such sheep so killed or destroyed.

33. Bounties for killing noxious animals.

SEC. 10. The board is authorized and empowered to offer and pay bounties out of its funds for the killing and destruction of the following-named animals, killed in the State of Nevada, to wit: For each coyote or coyote pup, seventy-five (75c) cents; for each wildcat or lynx, seventy-five (75c) cents; and for each mountain lion, five (\$5) dollars. Any person killing any of the aforesaid animals in order to obtain the bounty provided for herein shall, within ninety (90) days of the date of the killing, present or cause to be presented by his duly authorized agent, to the county clerk of the county in which said animal or animals have been killed, the entire skin of each of said animal or animals, which skin includes and must have attached thereto all four of the paws, or feet, the tail, and the skin of the head, eye-holes, and the skin to tip of nose; and shall at the same time make and file with the said county clerk an affidavit, which said affidavit shall state: first, the kind of animal or animals from which said skin or skins were taken and the number of skins presented; second, that the county in which said animal or animals were killed is the county in which their skins are presented for payment of a bounty; third, that said animal or animals from which said skins were taken were not bought or received, dead or alive, from any other county or state; fourth, that said animals

were killed within ninety (90) days from the date of making such affidavit: fifth, that said animal or animals were killed in such county, and in the State of Nevada; and, sixth, that the same were not fostered or whelped in captivity prior to the killing thereof. The said county clerk may, if he deems it advisable, require of such applicant for bounty such other corroborative testimony as to him seems proper concerning the truth set forth in such affidavit; *provided*, that when in doubt as to the kind of skin or skins presented, the order shall be issued for the lesser bounty. The county clerk shall cut off the four (4) paws or feet at the knee, and also cut off the ears and scalp and destroy them. The said clerk shall then certify to the said board that he received the said hides, that the required affidavit or affidavits have been made, and that he has destroyed the four feet, scalp, and ears in conformity with law, and also certify the name of the animals killed, the number, where killed, and by whom, and the bounty due. The board shall forthwith remit the bounty due to the party presented.

34. Inspector to act, when.

SEC. 11. Whenever upon examination by a sheep inspector any flock of sheep kept or herded in the State of Nevada shall be found to be infected with scabies, or any infectious or contagious disease, or to have been exposed in any manner to such scabies or disease, the inspector shall at once establish regulations for their quarantine, which shall define the place and limits within which such sheep may be grazed, herded, or driven. Said inspector shall forthwith notify the owner or person in charge of said sheep, in writing, of the fact that the said sheep are affected or diseased, and shall thereupon take charge of and treat said sheep for dipping or other treatment as the case may require. That in case of scabies, within a period of not less than ten days nor more than fourteen days immediately succeeding said first dipping or treatment, the inspector shall again dip said sheep. The said inspector shall also keep such flock of sheep so infected or diseased with scabies or any infectious or contagious disease from contact with other sheep by such means as he may specify, and until such time as the inspector is satisfied of the complete eradication of such scabies or infectious or contagious disease, at which time said inspector shall issue, in writing, a permit or certificate to the owner or person in charge of said sheep, releasing said sheep from quarantine. Said inspector shall have the power to give such notice, as in his judgment the conditions in each case may require, that said sheep are quarantined within certain limits to be by him fixed and specified, and that such other sheep owners or persons in charge shall not enter within the limits prescribed as quarantined with their flocks of sheep until further notice. Should any flock of sheep free of scabies or any infectious or contagious disease enter or intrude upon any lands and corrals or places embraced within the limits set apart for such quarantine, or upon any land, corral, or place where infected, diseased, or exposed sheep have been, then such sheep or flock of sheep shall be subject to the same regulations and treatment as sheep infected with scabies, or infectious or contagious diseases detrimental to sheep; *provided, however*, that the board shall establish rules and regulations for the quarantining of sheep which, so far as is practicable and reasonable, shall be of general application;

and provided further, that all regulations established or specified by said inspector, as aforesaid, shall be subject to change or modification by the board.

Where sheep must be dipped in the immediate vicinity of said quarantine and no preparations have been made upon the part of the owner or owners thereof, or the person in charge, to provide suitable dipping works, within fourteen days after the owner or person in charge of said sheep has been notified that said sheep are infected or diseased, the inspector is authorized to prepare such dipping works as may be necessary, at the expense of the owner of said sheep. If the said sheep cannot subsist upon range forage until they have been treated, the inspector shall then provide feed at the owner's expense. All expenses for so doing, including the expenses for treating sheep, shall become and be a lien upon the said sheep until the same is paid; *provided, however*, that no person, company or corporation shall be required to dip a flock of ewes thirty days before lambing, or ewes with lambs under ten days old, but all such ewes or ewes with lambs infected with scabies or any infectious or contagious disease, or that have in any manner been exposed to any such infection or diseases, must be held in quarantine and kept separate from sheep that are free from scabies or any infectious or contagious disease.

It shall be the duty of the inspector to require the owner or owners, or person in charge of such ewes while held in quarantine during the above period of exemption, to spot and hand-dress all sheep in the flock that show scabies or any infectious or contagious disease, with some of the dips or treatment recognized or specified by the board; and the inspector shall have power to enforce spotting or hand-dressing during the periods of exemption above referred to, the same as he has power to enforce dipping at any other period of the year. All sheep which are kept or herded within the limits of the State of Nevada shall, between the fifteenth day of April and the first day of November of each year, be dipped under the supervision of an authorized sheep inspector in one of the dips which have been recommended by the board; the said dip to be specified by the board and to be of a strength sufficient to eradicate scabies, ticks or lice.

The board is hereby authorized and empowered to take charge of and dip, as soon as possible after the first day of November of each year, all sheep kept or herded within the limits of the State of Nevada not previously dipped within the period required by this section and the expenses for so doing shall be paid by the owner of said sheep and the same shall become and be a lien upon such sheep until paid.

The board is hereby authorized and empowered to make such rules and regulations as they deem necessary relative to the administration of this section.

Any person, firm, or corporation, or any servant, agent, or employee thereof, who is the owner or in charge or control of any sheep, who shall wilfully violate any provisions of this section, or disregard any order or direction made by the board or inspector, in accordance therewith, shall be deemed guilty of a misdemeanor and shall be punished as provided in section 26 of this act.

35. Proclamation by governor, when.

SEC. 12. Whenever the governor of the state shall have good reason to believe that any disease covered by this enactment has become epidemic in a certain locality in any other state or territory, or that conditions exist that render sheep liable to convey disease, or whenever the board shall certify to the governor that conditions exist that render sheep likely to convey disease, the governor shall forthwith, by proclamation, schedule such locality or localities and prohibit the importation from them of any sheep into this state until such time as the said proclamation shall be raised or modified by the governor. Any person, company, or corporation, or any agent, servant, or employee thereof, who after the publication of such proclamation shall knowingly receive in charge any sheep from any of the prohibited districts, or transport, convey, or drive the same within the boundaries of any county of this state, shall be deemed guilty of a misdemeanor, and shall be punished as provided in section 26 of this act; *provided*, that nothing herein contained shall prohibit the transportation of sheep from such district through the state by railroad, provided such sheep are not unloaded within the state.

36. Unlawful to import diseased sheep.

SEC. 13. It shall be unlawful for any person, company, or corporation, or any agent, servant or employee thereof, to bring into this state any sheep infected with scabies or any infectious or contagious disease, or that have in any manner been exposed to such disease. Any person, company or corporation, or any agent, servant, or employee thereof, violating the provisions of this section, shall be punished as provided in section 26 of this act.

37. Importer of sheep must notify board.

SEC. 14. Any person, company or corporation, or any agent, servant or employee thereof, intending to bring or cause to be brought from any other state or territory, the District of Columbia, or any foreign country, any sheep or bucks into the State of Nevada in any manner, except by shipping the same through the state by railroad shall, ten days before crossing the state line, notify the board at its office of such proposed action, which notice shall set forth the place and date of entry into the state, the number of sheep or bucks, the brands or marks thereon, the name of the owner or owners thereof, the locality from which said sheep came and through which they have been driven; *provided, however*, that sheep or bucks trailing into the state from adjoining states, for immediate interstate shipments, and sheep and bucks grazing along and across the state lines, and sheep shipped from any part of this state to feed-yards in any other part of the state, when shipment is made by interstate route, shall be governed by the rules and regulations of the board. If any person, company or corporation, or any agent, servant or employee thereof, shall be guilty of a violation of the provisions of this section, the said person, company or corporation, or any agent, servant or employee thereof, shall upon conviction thereof be punished as provided in section 26 of this act.

38. Imported sheep to be dipped twice.

SEC. 15. All sheep or bucks imported to Nevada from any state, territory, or District of Columbia, or from any foreign country, shall,

upon entering the state, irrespective of the time of such entry, be dipped twice under the supervision of an inspector of the board, the first dipping to be performed within ten days after the said sheep or bucks arrive in the state, and within a period of not less than ten days or more than fourteen days after the said first dipping the said sheep or bucks shall again be dipped; and after the said second dipping, if the said sheep or bucks are free of disease, they shall be released and shall thereupon become subject to the laws, rules, and regulations governing other sheep in the state; *provided, however*, that the board may make reasonable rules and regulations, under which sheep and bucks free from disease may enter the state without dipping, or by being dipped only once. The board is hereby authorized to take charge of and dip as soon as possible any sheep and bucks imported into the State of Nevada not previously dipped within the period required by this section, and the expenses for so doing shall be paid by the owner of said sheep or bucks and the same shall become a lien upon such sheep or bucks until paid. Any person, firm, or corporation, or any servant, agent, or employee thereof, who is the owner or in charge or control of any sheep or bucks imported into the State of Nevada, violating the provisions of this section, shall be deemed guilty of a misdemeanor and shall be punished as provided for in section 26 of this act.

39. Inspector to file vouchers.

SEC. 16. Whenever any inspector files in the office of the state controller proper vouchers, duly approved by the board, setting forth:

1. The name of such inspector;
 2. The kind and nature of service rendered;
 3. The particular locality where the work was done;
 4. The length of time employed;
 5. The number of sheep inspected and the name of the owner or person in charge of such sheep;
 6. The disease or diseases treated, and the length of time of such treatment;
 7. The amount claimed for such services;
- then and in such case, the state controller must draw a warrant in favor of such inspector, payable out of the moneys in the sheep inspection fund.

40. Sheep in transit not to be unloaded—Exception.

SEC. 17. Any sheep in transit through this state upon any railroad train shall not be unloaded from such train for any purpose except for feeding or water, and shall be held in the feed-yards or in grazing grounds that may be provided by the railroad company carrying the said sheep, and shall not be allowed to leave the same. All expenses of enforcing the provisions of this section shall be paid by the owner or owners of said sheep, and the same shall become a lien upon such sheep until paid. Any person, company, or corporation, or any agent, servant, or employee of such, who shall be guilty of a violation of the provisions of this section, shall, upon conviction thereof, be punished as provided by section 26 of this act.

41. Diseased sheep moved for treatment, how.

SEC. 18. Any person, company, corporation, or association, or any agent, servant, or employee of such, desiring to move his or their sheep

which are not sound, or which are infected with scabies or any infectious or contagious disease, or which have been exposed in any manner to any such infection or disease, shall obtain from the commissioner of the district a traveling permit, but such permit shall only be granted for the purpose of moving said sheep to the nearest practicable place where they may be treated for said infection or disease, and by such routes as such commissioner shall designate. No such sheep shall be moved until such permit shall have been obtained. Any person, company, corporation, or association, or agent, servant, or employee of such, who shall violate the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished as provided in section 26 of this act: *provided*, that the board may, by regulations, authorize the inspector to issue said traveling permits.

42. Infection must be reported promptly.

SEC. 19. It shall be the duty of every person, company, corporation, or any agent, servant, or employee thereof, owning or having under their control any sheep or flocks of sheep in the State of Nevada which have become infected with scabies, or any infectious or contagious disease, or which have been exposed in any manner to such infection or diseases, to forthwith report such facts in writing, to the sheep inspector of the district in which the sheep are located, or to the board, and if any person, company, or corporation, or any agent, servant, or employee thereof, shall fail, neglect, omit, or refuse to so report such facts for a period of fifteen days said person shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished as provided in section 26 of this act.

43. Who deemed owners.

SEC. 20. In any action or proceedings, civil or criminal, arising under this enactment, all persons having an interest in sheep and controlling the same, concerning which such an action or proceeding is had, shall be deemed the owners of such sheep, and shall be liable severally and jointly for a violation of this enactment. Any herder or other person in charge of sheep who shall wilfully refuse to give an inspector information as to the condition of sheep in his charge, or shall wilfully give false information as to the condition of said sheep, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be punished as provided in section 26 of this act.

44. Special legal aid, when.

SEC. 21. Whenever the board shall deem it necessary they may employ special attorneys to assist in the prosecution of violations or violators of any of the foregoing sections, and also may employ attorneys for such other purposes as the board may deem necessary, such services to be paid out of any moneys in the sheep inspection fund in the state treasury.

45. U. S. regulations accepted.

SEC. 22. The board is hereby authorized to accept, on behalf of the state, the rules and regulations prepared by the secretary of agriculture of the United States under and in pursuance of section numbered 3 of an act of Congress, approved May 29, 1884, "An act for the establishment of the bureau of animal industry, to prevent the exporta-

tion of diseased cattle, and to provide means for the suppression and extirpation of pleuropneumonia and other contagious diseases among domestic animals," and to cooperate with the authorities of the United States in the enforcement of the provisions of said act; *provided*, however, that all action taken by the employees of the United States while acting under the provisions of this chapter as state inspectors of sheep and bucks shall be exercised under the joint supervision of the board and the chief of the bureau of animal industry.

46. U. S. employees recognized.

SEC. 23. The board is authorized to give its consent that the bureau of animal industry of the United States and its employees shall come within the State of Nevada for the purposes connected with the exportation of diseased sheep, and for the suppression and extirpation of pleuropneumonia and other contagious and infectious diseases among sheep.

47. Federal authorities may call peace officers.

SEC. 24. All federal authorities authorized as aforesaid, and the various inspectors of this state, shall, subject to the approval of the board, have the power to call upon any constable, sheriff, or other peace officer in any county in this state to assist them in the discharge of their duties in carrying out the provisions of this act, and the act of Congress aforesaid, and it is hereby made the duty of said officers to assist them when so requested, and the said federal inspectors shall have the same power to enforce the laws of this state as the various inspectors of the state when authorized as aforesaid and engaged in the discharge of their official duties; *provided*, that any person, company, or corporation refusing to comply with the orders of such officer or federal inspector shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 26 of this act.

48. Salaries, expenses and maintenance, how paid.

SEC. 25. The salaries, expenses, and maintenance of the Nevada state sheep commission, not heretofore provided for in this act, shall be paid out of the sheep inspection fund.

49. Penalties and punishment.

SEC. 26. Any person, company, corporation or association, or any agent, servant or employee of such, who shall violate or disregard any quarantine provision of this act, or any sanitary or quarantine rule, regulation or order of the board, or inspector thereof, or any of the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished by imprisonment in a county jail for a term of not to exceed more than one year, or by fine of not more than one thousand dollars, or both. For the purpose of carrying out the provisions of this act each member of the board, and the secretary of said board, is authorized to subpoena and examine witnesses and to administer oaths for the purpose of soliciting information to be used in enforcing the provisions hereof, and in the furtherance of the quarantine, sanitary and other regulations.

50. Liens, how foreclosed.

SEC. 27. All liens provided for in this act shall be foreclosed in the manner provided by chapter 60 of the civil practice act; *provided*, that the judgment therein shall also allow reasonable attorneys' fees, to be fixed by the court.

51. Premises seized, when.

SEC. 28. Whenever it shall be necessary in the enforcement of the provisions of this act for the board, or any of its inspectors, to take charge of any sheep, corral, building or other place, demand therefor shall be made upon the owners or persons in charge thereof; in event of refusal of said owner or person in charge of said sheep, corral, building, or place, said board or any inspector may have said sheep, corral, building or place seized and held by writ of attachment to issue in the same manner provided by the general laws of the State of Nevada; *provided*, that the action shall be brought in the name of the State of Nevada, and no bond on attachment shall be required.

52. Breaking quarantine defined.

SEC. 29. Breaking quarantine shall mean the taking of any sheep or allowing any sheep quarantined by the board or inspector to go within or without any building, corral, premises or range quarantined by the board or inspector, or the taking any free sheep within any building, corral, premises or range quarantined by the board or inspector.

53. Repeal of former act.

SEC. 30. An act entitled "An act regulating the sheep industry in the State of Nevada, creating a state board of sheep commissioners, defining their duties, and prescribing their compensation," approved March 26, 1907; all acts amendatory thereof; and all acts or parts of acts in conflict with the provisions of this act, are hereby repealed.

54. Sheep inspection fund continued.

SEC. 31. The sheep inspection fund, created and existing under and by virtue of an act entitled "An act regulating the sheep industry in the State of Nevada, creating a state board of sheep commissioners, defining their duties and prescribing their compensation, approved March 26, 1907," shall be transferred to the sheep inspection fund, created under and by virtue of the provisions of this act. The state board of sheep commissioners, created under and by virtue of the said act, shall hold office under the provisions of this act until their successors are appointed as herein provided.

NOTE—This Act authorizes the Board to make and enforce certain regulations dealing with the control of infectious diseases of sheep and goats and the Governor to issue quarantine proclamations along the same lines. As these are subject to change at any time, those now in effect are not included in this compilation. For information regarding same, communicate with the Inspector in Charge, State Board of Sheep Commissioners, Reno, Nevada.

LAWS RELATING TO THE CONTROL OF INFECTIOUS AND CONTAGIOUS DISEASES OF ANIMALS

Sections 55 - 85

An Act to protect the live stock of this state from disease, and providing a penalty for driving or allowing diseased stock to run at large upon the public lands.

Approved February 19, 1887, 72

55. Unlawful to drive diseased stock on highway.

SECTION 1. It shall be unlawful to drive any horse infected with glanders, or pink eye; any sheep infected with scab, or foot rot; and neat cattle infected with Spanish or Texas or splenic fever, or with pleuropneumonia; any hog infected with cholera or trichina, or any of said animals that are infected with or that have been exposed to any of the above diseases whatever, along any highway or traveled road in this state.

56. To be enclosed or herded.

SEC. 2. The owner of any animal or animals so infected or diseased, as mentioned in section 1 of this act, or that has been exposed to any contagious disease, and the person or persons in charge thereof shall keep such animal or animals safely enclosed or securely herded upon lands owned by or held in actual possession by them under the laws of this state by the owner or person in charge of such animal or animals.

57. Penalty—Entitled to recover damages.

SEC. 3. Every person who may violate either of the preceding sections of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished therefor by a fine not less than thirty nor exceeding five hundred dollars, or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment in the discretion of the court, and the owner or owners of any animal or animals injured or damaged by any act or omission in violation of the provisions of this act shall be entitled to recover the amount of damages sustained from the owner or owners of the diseased live stock from which the contagion came, and shall also be entitled to recover the costs of prosecution.

58. Diseased animals.

SEC. 266. Every owner or person having charge thereof, who shall import or drive into this state, or who shall turn out or suffer to run at large upon any highway or unenclosed lands, or upon any lands adjoining the enclosed lands kept by any person for pasture; or who shall keep or allow to be kept in any barn with other animals, or water or allow to be watered at any public drinking fountain or watering place, any animal having any contagious or infectious disease; or who shall sell, let or dispose of any such animal knowing it to be so diseased,

without first apprising the purchaser or person taking it of the existence of such disease, shall be guilty of a misdemeanor.

The foregoing is Section 6531, Revised Laws of Nevada 1912.

59. Diseased animals—Disposal of carcasses.

SEC. 267. Every person owning or having in charge any animal that has died or been killed on account of disease, shall immediately bury the carcass thereof at least three feet underground, or cause the same to be consumed by fire. No person shall sell or offer to sell or give away the carcass of any animal which died or was killed on account of disease, or convey the same along any public road or land not his own in a manner dangerous to the public health or the health of other animals. Every violation of any provision of this section shall be a misdemeanor.

The foregoing is Section 6532, Revised Laws of Nevada 1912.

60. Selling diseased flesh.

SEC. 270. Any person who shall knowingly sell any flesh of any diseased animal is guilty of a gross misdemeanor and shall be punished accordingly.

The foregoing is Section 6535, Revised Laws of Nevada 1912.

An Act providing for interstate and intrastate quarantine with respect to domestic animals and other live stock, poultry, bees, and agricultural and horticultural crops, products, seeds, plants, trees or shrubs, or any article infected with, or which may have been exposed to, infectious, contagious or destructive diseases, or infested with parasites, or insect pests, or the eggs or larvæ thereof, dangerous to any industry in the state; and other matters relating thereto.

Approved March 31, 1913, 456

61. Governor may proclaim quarantine.

SECTION 1. The governor is hereby authorized and empowered to proclaim and enforce quarantine against any state, or any portion of any state, with respect to the importation into Nevada; or against any county or portion of any county, farm, nursery or apiary within the state, with respect to the exportation therefrom to any other part of the state, of any domestic animals or other live stock, poultry, bees, or agricultural or horticultural crops, products, seeds, plants, trees or shrubs or any article (hereinafter for convenience referred to as commodities) infected with, or which may have been exposed to, infectious, contagious or destructive diseases, or infested with parasites, or insect pests, or the eggs or larvæ thereof, dangerous to any industry in the state. In any criminal proceedings arising under this act, proof that any commodity, interdicted by proclamation of quarantine from import or export, was imported or exported in violation of quarantine, shall be deemed proof, within the meaning of this act, that the same was diseased, exposed to disease, or infested as aforesaid. The words "importation" and "exportation," as herein used, shall be construed to mean and include the transportation of any such commodity by any railroad, express company or other common carrier, or by any person or persons or baggage, or by vehicle or automobile, or the driving, leading or permitting to run at large of the same. The word farm, as herein used, shall be held and construed to mean and include any farm,

stock range, stockyards, dairy, lot, or other premises not otherwise enumerated.

62. Interstate and intrastate quarantine.

SEC. 2. Whenever it shall appear to the state quarantine officer, by petition of any three citizens, or otherwise, that any industry in the state is endangered by importations from any other state of any commodity mentioned in section 1 of this act; or by exportations from any county, portion of any county, farm, nursery, or apiary within the state, to other parts of the state, of any such commodity, he shall at once take steps to ascertain the facts thereof, as hereinafter provided, and if in his opinion the facts so warrant, he shall by proclamation declare such state, or any portion of such state, in the first instance, quarantined from further importations into Nevada of any such commodity; or any such county, or portion of such county, farm, nursery, or apiary, in the second instance, quarantined from exportations of any such commodity to other parts of the state; which quarantine shall remain effective unless vacated by order of the governor of the state within forty-eight (48) hours, or until said quarantine is raised by proper authority. *As amended, Stats. 1915, 332.*

SEC. 3. Stats. 1913, 457, repealed, Stats. 1915, 332.

63. Quarantine proclamation mailed.

SEC. 4. When quarantine is so declared against importations from any state, or any portion of a state, of any commodity referred to in section 1 of this act a certified copy of such proclamation shall be mailed by registered mail to each of the following: To the governor of such state; the United States quarantine officer having federal jurisdiction over the same character of quarantine; and to the state agent of any interstate railroad, express company or other common carrier over which, or by which, such commodity might be transported.

64. Notice to county authorities.

SEC. 5. When quarantine is declared against any county or portion of any county, farm, nursery or apiary within the state, forbidding exportations therefrom of any commodity mentioned in section 1 of this act, a certified copy of such proclamation shall be mailed by registered mail to each of the following: To the sheriff; chairman of the board of county commissioners; and county clerk of such county, and if a single farm, nursery or apiary be quarantined, to the owner or resident manager thereof. The governor may, in his discretion, cause a copy of such proclamation to be published in some newspaper of general circulation published within the county, once a week for four consecutive weeks, unless said quarantine is sooner raised, as notice to all concerned.

65. Penalties for violation.

SEC. 6. Any person, or any officer, agent or employee of any corporation, who shall import or export, or who shall insist in importing or exporting, as a principal or accessory, any commodity mentioned in section 1 of this act, forbidden to be imported or exported by any proclamation of quarantine, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished as prescribed in section 6285, Revised Laws of Nevada. Any railroad company, any express

company, or other common carrier, which shall carry, haul or transport into Nevada from any state, or portion of any state, quarantined against, or from any county, portion of any county, farm, nursery or apiary within the state, under quarantine, to any other part of the state, any commodity mentioned in section 1 of this act, forbidden to be so imported or exported, shall be liable for any and all damages occurring by reason of such importation or exportation, and which may be recovered by action against such railroad company, express company or common carrier brought in any court of competent jurisdiction within two years after the date of such offense or offenses, if more than one. Such action shall be instituted in the name of the state, for and on behalf of the person or persons, firms or corporations suffering injury, and the attorney-general shall prosecute the same.

66. To cooperate with federal authorities.

SEC. 7. In so far as practicable, the governor, or state quarantine officer, in directing the enforcement of quarantine, shall cooperate with the federal authorities. The state quarantine officer is hereby authorized and empowered to exercise all needful authority required for the proper and efficient enforcement of quarantine; to make arrests of persons violating the same, or suspected of such violation, and to examine any premises or any shipment or consignment suspected of containing any interdicted commodity within the meaning of this act, and may open any container thereof and inspect the same. If such shipment or consignment prove to be an interdicted commodity as aforesaid, he shall have power to require any railroad, express company, or other common carrier immediately to reshhip such consignment back to point of origin, if the same has not yet been delivered to the consignee, and the failure or refusal of any railroad company, express company, or other common carrier promptly so to do shall render such company so offending liable to fine in any sum not less than five hundred dollars nor more than five thousand dollars, and which may be collected by proceedings instituted by the state and prosecuted by the attorney-general in any court of competent jurisdiction, and any property of the defendant within the state may be levied on and sold in satisfaction of the judgment. *As amended, Stats. 1915, 332.*

67. Commodity may be fumigated or destroyed, when.

SEC. 8. Any commodity mentioned in section 1 of this act forbidden to be imported or exported by any proclamation of quarantine, wherever the same may be located, if in the opinion of the quarantine officer endangering any industry of the state, may be fumigated, disinfected, treated, or destroyed, as the governor may authorize such quarantine officer so to do; *provided*, that any property so ordered to be destroyed, if acquired by the owner of the same, came into his possession prior to the date of the proclamation of quarantine, before being destroyed shall be appraised as to its value by two disinterested appraisers, one to be appointed by the owner thereof, or if he be absent, by his agent, manager or foreman; one by said quarantine officer, and if the two so chosen cannot agree, they shall name a third appraiser, and if unable to agree upon such third appraiser, said quarantine officer may name some disinterested person to name a third appraiser; and two of the three so named as appraisers, agreeing upon the valuation of the prop-

erty destroyed, the same shall be final. Said valuation so appraised shall be divided into three equal parts; one part of which the owner shall lose, one part shall be paid to him by the county wherein the property is situated, by order of the board of county commissioners from the general fund of the county, on a certified copy of such appraisement, the same as other bills are paid; and one-third by the state, on a certified copy of such appraisement, attested by the quarantine officer and approved by the state board of examiners, when the state controller shall draw his warrant and the state treasurer pay the same from the general fund in the state treasury. But no property destroyed under the provisions of this section, if acquired, or the same came into possession of the owner, after the date of such proclamation of quarantine, shall be subject to such part payment by the county or by the state. All costs of fumigation, disinfection or treatment ordered to be performed by said quarantine officer shall be borne by the owner of such commodity, and he, or in his absence, his agent, manager or foreman, shall perform the same promptly and exactly as instructed and not otherwise, and the refusal or neglect so to do shall constitute a misdemeanor, and such owner, agent, manager or foreman, so delinquent, on conviction thereof, shall be punished as provided in section 6285, Revised Laws of Nevada. In such case said quarantine officer, or any person deputized by him, may enter upon such premises and perform such fumigation, disinfection or treatment, and all the costs thereof shall attach as a lien against any property of such owner within the state. On the neglect or refusal of such owner promptly to pay the same on presentation of an itemized bill certified to by said quarantine officer or his deputy, the district attorney of the county shall forthwith proceed to levy an attachment against any property of such owner within the state for the amount due plus the costs of legal procedure, and proceed to collect the same by foreclosure proceedings.

68. Peace officers to assist quarantine officer.

SEC. 9. The sheriff and all peace officers of any county when called upon by said quarantine officer, and the state police likewise, shall aid and assist him in the enforcement of quarantine and in the arrest of any person accused of violating the same, and the district attorney of any county in which any person is charged with a misdemeanor under this act shall prosecute the same.

Secs. 10 and 11, Stats. 1913, 467, repealed, Stats. 1915, 333.

69. Each section declared independent.

SEC. 12. Each section of this act and every part of each section is hereby declared to be independent sections, and parts of sections, and the holding of any section or part thereof to be void or ineffective for any cause shall not be deemed to affect any other section or any part thereof.

Sec. 13, Stats. 1913, 461, repealed, Stats. 1915, 333.

70. Who to administer act and designate quarantine officer.

SEC. 15. The president and board of regents of the University of Nevada are hereby designated the authority to administer this act. They shall have power to designate the state quarantine officer, who shall be in charge of the laboratory of the university, known as the state veterinary control service. They shall appoint a properly qualified

entomologist to advise with the state quarantine officer in all matters in which the scientific knowledge of an entomologist is essential. The appointment of the state quarantine officer shall be effective when approved by the governor. *Added, Stats. 1915, 333.*

NOTE—This and the following Act provide for the issuance by the Governor and the State Quarantine Officer of certain general quarantine proclamations and local quarantines. As these are subject to constant change, those in effect at this time are not included in this compilation. For information as to those in effect, communicate with the State Quarantine Officer, University of Nevada, Reno, Nevada.

An Act providing for the better prevention, control and extermination of infectious, contagious and destructive diseases, parasites and insect pests, affecting animals, poultry, bees or agricultural or horticultural plants, trees or shrubs, injurious to any industry in the state, and other matters relating thereto; and to repeal an act entitled "An act providing for the appointment of a state veterinarian, defining his duties and fixing his compensation—Governor to appoint," approved March 15, 1905, and all acts and parts of acts in conflict with the provisions of this act.

Approved March 31, 1913, 452

71. For prevention of disease.

SECTION 1. For the better prevention, control, and extermination of infectious, contagious, or destructive diseases, parasites or insect pests, affecting poultry, bees, or agricultural or horticultural plants, trees, or shrubs, injurious to any industry in the state, the governor, with the advice of the state quarantine officer, or otherwise, is hereby empowered to proclaim and enforce quarantine against any state or any portion of any state, with respect to the importation into Nevada, or against any county or any portion of any county, farm, nursery, or apiary within the state, with respect to the exportation therefrom to any other part of the state, of any poultry, bees, or agricultural or horticultural crops, products, seeds, plants, trees or shrubs, or any article: (hereinafter for convenience referred to as commodity) infected with, or which may have been exposed to, infectious, contagious, or destructive diseases, or infected with parasites or insect pests, or the eggs or larvæ thereof, dangerous to any industry in the state; and to formulate and enforce such rules and regulations as may be necessary for the proper carrying out of the provisions of this act. The word "plants," as herein used, shall be construed to mean and include any and all farm, field, and garden crops grown in the state. The word "trees," as herein used, shall be construed to mean and include any and all fruit, shade, and ornamental trees. The word "shrubs," as herein used, shall be construed to mean and include all fruit-producing, ornamental, or useful shrubs and bushes. *As amended, Stats. 1915, 424.*

Stats. 1913, 453, secs. 2, 3, and 4 repealed, Stats. 1915, 424.

72. State quarantine officer to be notified.

SEC. 5. It is hereby made the duty of each and every person in the state owning, possessing, or having upon his premises, or any premises under his control, lease, supervision, or management, any poultry, bees, or agricultural or horticultural plants, trees, or shrubs, as here-

tofore defined, immediately upon the appearance thereamong of any unknown disease, or disease known to be, or which by him reasonably should be suspected of being, infectious, contagious, or destructive; or of any parasite or insect pest, known to be, or which by him reasonably should be suspected of being, injurious to any industry in the state, immediately to notify the state quarantine officer, and the neglect or failure so to do shall constitute a misdemeanor, and on conviction thereof the person so offending shall be fined in any sum not exceeding one hundred dollars. *As amended, Stats. 1915, 424.*

73. Quarantine officer to issue bulletin.

SEC. 6. It shall be the duty of the state quarantine officer to prepare, or cause to be prepared and printed, such circulars describing and illustrating the appearance and characteristics of such contagious, infectious, or destructive diseases, parasites, or insect pests as in his judgment is necessary and desirable. *As amended, Stats. 1915, 425.*

74. Quarantine officer to act.

SEC. 7. Whenever it shall appear to the state quarantine officer that any infectious, contagious or destructive disease, parasite or insect pest affecting animals, poultry, bees or agricultural or horticultural plants, trees or shrubs has appeared in the state, injurious or threatening injury to any industry, it shall be the duty of such state quarantine officer immediately to make, or cause to be made, investigation to determine the fact and thereupon promptly to take action and adopt measures for the control and extermination thereof, and the prevention of the spread of the same; *provided*, that the board of county commissioners of such county shall provide for all the necessary traveling, living and other needful expenses connected therewith.

75. Quarantine to be established.

SEC. 8. If the quarantine of any county or portion of any county, farm, nursery, or apiary is required, said state quarantine officer shall immediately issue an emergency quarantine order, which shall be effective for forty-eight (48) hours, at the end of which time it shall be void, unless confirmed by the governor. The state quarantine officer, or any agent appointed by him for such purpose, shall have authority to enter upon any premises for the purpose of inspection, with respect to the existence or suspected existence of any such disease, parasite, or insect pest, or the germs, eggs, or larvæ thereof, and to make such inspection as thorough as may be deemed proper without let or hindrance from the owner or person in possession or in charge thereof. *As amended, Stats. 1915, 425.*

76. Powers of quarantine officer.

SEC. 9. When such disease, parasite, or insect pest, or the eggs or larvæ thereof, is discovered upon any premises the state quarantine officer is hereby empowered to employ any and all means in his judgment necessary for the control, extermination, and prevention of the spread of the same. He may give explicit directions to the owner, or person in charge thereof, relating to what procedure he shall take with respect to the treatment, control, and extermination thereof and prevention of the spread of the same, and such instructions shall be

mandatory upon such person, and he shall perform the same within a certain time to be specified, and the failure or refusal of any such person so to do shall constitute a misdemeanor, and on conviction thereof the person so offending shall be fined in any sum not exceeding five hundred dollars. On such failure or refusal, or with the consent of the owner or person in possession or charge thereof, or in case of emergency, or on his own initiation, he, or any agent authorized by him so to do, may enter upon such premises and take charge thereof, and conduct such treatment, control, extermination, or prevention from spreading of any such disease, parasite, or insect pest, and all costs thereof shall be borne by the owner of such premises or property. On the neglect or refusal of such owner promptly to pay the same, on presentation of an itemized bill therefor, certified to by said state quarantine officer, said cost shall attach as a lien against any property of such owner within the state, and the district attorney of the county shall forthwith proceed to levy an attachment against such property for the amount due, plus the cost of legal procedure, and collect the same by foreclosure proceedings. *As amended, Stats. 1915, 425.*

77. Further duties of quarantine officer.

SEC. 10. Whenever in the opinion of the state quarantine officer, any general or special measures of precaution are necessary to be taken to prevent the introduction or spread of any such disease, parasite, or insect pest, beyond any premises where the same may have appeared, said state quarantine officer shall prepare explicit directions as to such measure, and notify all parties, directed to comply therewith, by letter, circular, or by publication. Where notice by publication in any county is deemed necessary by said state quarantine officer, he shall forward a copy of such notice to the chairman of the board of county commissioners of such county requesting that the same be published in one or more newspapers published in such county once a week for four consecutive weeks; and it shall be the duty of the board of county commissioners to cause the same forthwith to be so published, and the cost of such publication shall be paid by the county in the usual manner as other county advertising. And such notice, to all parties addressed, shall be mandatory for the performance of, and compliance with, such measures of precaution, according to such directions and within the time limits, if any, therein specified. It shall be the duty of the state quarantine officer to see that all persons comply therewith, and on the neglect or refusal of any so to do, promptly to notify the district attorney, with the names of the persons so neglecting or refusing. Said district attorney shall call the same to the attention of the board of county commissioners at its next succeeding meeting, and it shall be the duty of said board, and it is hereby fully authorized and empowered, to take such suitable action as in its opinion is necessary and proper to enforce the performance of, or compliance with, such measures of precaution with respect to the property or premises of each of said parties so neglecting or refusing. And in pursuance whereof said board may direct the sheriff of the county to carry out and enforce its order, and the costs thereof shall be borne by the owner of such property or premises; and on the refusal of such owner promptly to pay the same on presentation of an itemized bill, certified to by the sheriff,

said costs shall attach as a lien against any property of said owner within the state, and the district attorney of said county shall forthwith institute proceedings to foreclose such lien, together with the costs of legal procedure. *As amended, Stats. 1915, 426.*

78. Printing.

SEC. 11. All necessary printing required by said state quarantine officer shall be printed at the state printing office, and five thousand copies of any circular mentioned in section 7 of this act may be so printed, but no other printed matter shall exceed the number prescribed by law.

79. Certain act not affected.

SEC. 12. That certain act entitled "An act regulating the sheep industry in the State of Nevada, creating a state board of sheep commissioners, defining their duties and prescribing their compensation," approved March 26, 1907, together with all acts amendatory thereof or supplemental thereto, shall not be deemed to be affected by the provisions of this act.

80. Act repealed.

SEC. 13. An act entitled "An act providing for the appointment of a state veterinarian, defining his duties and fixing his compensation—Governor to appoint," approved March 15, 1905, and all other acts and parts of acts in conflict with the provisions of this act are hereby repealed.

NOTE—This and the preceding Act provide for the issuance by the Governor and the State Quarantine Officer of certain general quarantine proclamations and local quarantines. As these are subject to constant change, those in effect at this time are not included in this compilation. For information as to those in effect, communicate with the State Quarantine Officer, University of Nevada, Reno, Nevada.

An Act to establish at the University of Nevada a state veterinary control service, defining its duties, and providing for the conduct of the same, and stating its relation to the state quarantine laws.

Approved March 11, 1915. 113

81. State veterinary control service at university.

SECTION 1. The president and board of regents of the University of Nevada are hereby instructed to establish at the University of Nevada a laboratory to be known as the state veterinary control service, for the diagnosis of infectious diseases among animals and the conduct of research into the nature, cause, and control of such diseases.

82. Equipment.

SEC. 2. The regents of the university shall, from any moneys appropriated therefor, purchase suitable equipment, apparatus, chemicals, and supplies for the maintenance of such veterinary control service at the university.

83. Veterinarian must be bacteriologist.

SEC. 3. The regents of the university shall, upon the recommendation of the president, appoint a qualified veterinarian, a bacteriologist, to conduct and direct said control service, and shall grant him such

assistants as they deem necessary. The individual thus appointed shall be known as the state quarantine officer.

84. Must enforce certain laws.

SEC. 4. In addition to his duties comprehended under the terms of this act, he shall be the official adviser and executive officer for the enforcement of the provisions contained in chapters 279 and 280 of the Session Laws of the State of Nevada, Twenty-sixth session, 1913; *provided, however*, that wherever in these acts the duties imposed upon such officer require the exercise of the police power of the state, he shall make his recommendation to the governor who shall take such action thereunder as he may deem wise.

85. Rules for conduct of service.

SEC. 5. The president and board of regents of the University of Nevada may make such rules and regulations for the conduct of the said veterinary control service and for the guidance of the state quarantine officer as they may deem wise for the proper conduct of the office of state quarantine officer, as herein provided. All moneys appropriated by the state provided for the expense of the enforcement of chapters 279 and 280 of the Session Laws of the State of Nevada, Twenty-sixth session, 1913, shall be expended with the approval of the president and board of regents of the University of Nevada.

NOTE—See also:

An Act relating to cattle, horses and hogs, and regulating such stock, etc. Secs. 1-23.

An Act regulating the sheep industry in the State of Nevada, etc. Secs. 24-54.

An Act for the prevention of cruelty to animals, etc. Secs. 233-249.

NOTE—In addition to the state laws and regulations, the federal law creating the Bureau of Animal Industry with amendments thereto and the various regulations issued by this Bureau deal with the control and eradication of contagious and infectious animal diseases, more especially from an interstate standpoint. As this law and the regulations issued under it are quite voluminous and the latter subject to constant change, they are not included in this compilation. For information regarding those now in effect, communicate with the Bureau of Animal Industry, Federal Building, Salt Lake City, Utah, or the State Quarantine Officer, University of Nevada, Reno, Nevada.

LAWS RELATING TO THE DESTRUCTION OF PREDATORY AND NOXIOUS ANIMALS AND BOUNTIES FOR SAME

Sections 86 - 100

An Act creating the state rabies commission, prescribing its membership and duties, and making an appropriation for the control and eradication of rabies and noxious animals within the State of Nevada, in cooperation with the biological survey of the U. S. Department of Agriculture.

Approved March 8, 1917, 54

86. Commission created—How composed.

SECTION 1. That for the purpose of cooperating with the biological survey of the U. S. Department of Agriculture, for the control and eradication of rabies and noxious animals within the State of Nevada, there is hereby created the state rabies commission, consisting of the governor and four members to be appointed by the governor, one of whom shall be the director of the state veterinary control service, who shall act as secretary of the commission without extra compensation as such, and one each to be appointed from the state board of sheep commissioners, the state board of stock commissioners, and the state board of health. The governor shall be ex officio chairman of said commission. The members of said commission shall serve without salary, but shall be allowed their traveling and living expenses while attending meetings, or otherwise directly engaged in such control or extermination work.

87. Appropriation.

SEC. 2. For the cooperative support of the work of control and eradication of rabies and noxious animals as aforesaid there is hereby appropriated thirty-five thousand (\$35,000) dollars annually for each of the fiscal years 1917 and 1918, from any moneys in the state treasury not otherwise appropriated. For said fiscal years 1917 and 1918 an ad valorem tax of two cents on each one hundred dollars of taxable property in the State of Nevada is hereby levied and directed to be collected upon all such taxable property in the state, including net proceeds of mines, the proceeds of which shall be placed in a special fund in the state treasury for the purpose of meeting the appropriation heretofore provided for in this section. All claims against said fund and appropriation shall be approved by the chairman and secretary of said commission and by said board of examiners.

88. Duties.

SEC. 3. It shall be the duty of said commission to enter into a definite agreement with said biological survey, prescribing the manner, terms, and conditions of such cooperation, and the amounts which the state and federal government will respectively contribute thereto, for each of said fiscal years, and said commission in its work under the provisions of this act shall be governed by said agreement.

An Act to provide for the destruction of noxious animals and to repeal an act relating thereto.

Approved February 3, 1887, 38

89. Bounties for certain animals.

SECTION 1. If any person shall take or kill within this state any of the following noxious animals, he shall be entitled to receive, out of the treasury of the county within which such animals shall have been taken, the following bounties, to wit: For every lynx or wildeat, two dollars, and for every mountain lion, five dollars; all of which bounties shall be subject to the provisions of this act. *As amended, Stats. 1913, 18; 1917, 72.*

90. Scalps to be taken.

SEC. 2. The person intending to apply for such bounty shall take the scalps with the ears connected thereto of the noxious animals killed by him, to some justice of the peace of the county within which such noxious animals shall have been taken.

91. Claimant to make oath.

SEC. 3. The person claiming such bounty shall then be sworn by such justice, and state on oath the time and place when and where said noxious animals for which a bounty is claimed by him were taken and killed, and shall also submit to such further examination on oath concerning the taking and killing of such noxious animals as the justice may require.

92. Justice to give certificate—Fees of justice.

SEC. 4. If it shall appear to the justice that the noxious animals have been taken and killed within the county, he shall cut off the ears from the scalps and give to the person so sworn a certificate stating the number and kind of scalps deposited with said justice. The justice shall within thirty days thereafter send to the sheriff of his county all scalps deposited with him, together with a statement naming the person depositing the same, the time deposited, and the kind of scalps. Upon receipt of said scalps and statement, the sheriff, county clerk and district attorney, as a part of their official duties, shall compare the number and kind of scalps received by the said sheriff with said statement, and immediately thereafter said officials shall destroy said scalps and file the said statement with the clerk of the board of county commissioners. The said justice shall receive for each oath administered twenty-five cents, and for each certificate twenty-five cents, to be paid by the party applying for said bounty, and in no case to be a charge against the county. *As amended, Stats. 1899, 61.*

93. Amount allowed.

SEC. 5. Upon the presentation to the board of county commissioners of the proper county of any such certificate, they are hereby authorized and directed to allow the amount due under the provisions of this act to the person therein named, out of the general fund of the county.

SEC. 6. An act entitled "An act to provide for the destruction of noxious animals within this state," is hereby repealed.

An Act to provide for the destruction of certain noxious animals.

Approved March 13, 1891, 39

94. Bounty for destruction of gophers.

SECTION 1. If any person shall take and kill within this state any pocket gophers he shall be entitled to receive out of the treasury of the county within which such pocket gophers shall have been taken the following bounty, to wit: For every pocket gopher, one and one-half cents; *provided*, no person shall be entitled to apply for or receive bounty money for any number of scalps less than one hundred at any one time, and all bounties to be paid for the object herein set forth shall be subject to the provisions of this act; *and, further provided*, that the term pocket gophers herein shall not include squirrels or chipmunks. *As amended, Stats. 1893, 20.*

95. When bounty may be claimed.

SEC. 2. The person intending to apply for such bounty shall take the heads, or skin of the heads, with pockets attached, with the ears connected thereto, of the pocket gophers killed by him to some justice of the peace of the county within which such pocket gophers shall have been taken. *As amended, Stats. 1893, 21.*

96. Claimant to be sworn by justice.

SEC. 3. The person claiming such bounty shall then be sworn by such justice of the peace, and state on oath the time and place when and where said pocket gophers for which a bounty is claimed by him, were taken and killed, and shall also submit to such further examination, on oath, concerning the killing and taking of such pocket gophers, as the justice of the peace may require. *As amended, Stats. 1893, 21.*

97. Duties of justice of the peace.

SEC. 4. If it shall appear to the justice of the peace that the pocket gopher or pocket gophers have been taken and killed within the county, he shall cut off the ears from the scalp and destroy the said ears, and give to the person so sworn a certificate stating the number of scalps deposited with and destroyed by him. The said justice of the peace shall receive for each oath administered, twenty-five cents, and for each certificate, twenty-five cents, to be paid by the party applying for such bounty, and in no case to be a charge against the county. *As amended, Stats. 1893, 21.*

98. Bounties allowed, how.

SEC. 5. Upon the presentation to the board of county commissioners of the proper county of any such certificate, they are hereby authorized and directed to allow the amount due under the provisions of this act to the person therein named, out of the general fund of such county.

NOTE—For bounties allowable by State Board of Stock Commissioners and State Board of Sheep Commissioners, see Sections 7 and 33, respectively.

An Act to provide for the appointment of inspectors to inspect lands infested with, or threatened with damage by, field mice, squirrels, or other noxious vermin, to prescribe their duties and fix their compensation.

Approved March 16, 1909, 123

99. Inspectors, how appointed—Bond.

SECTION 1. Whenever it shall appear to the board of county commissioners of any county in this state that the agricultural interests of said county are being damaged, or threatened with damage, by reason of the depredations of field mice, squirrels, or other noxious vermin, it shall be the duty of the said board of county commissioners to appoint some suitable person or persons to inspect the lands so infested, or threatened with infection, and take all necessary means for the extermination of the same. The inspectors so appointed shall, before entering upon the duties of their office, take and file with the board of county commissioners a bond to be approved by said board in a sum not exceeding one thousand (\$1,000) dollars, conditioned for the faithful discharge of the duties of their office, and shall take the official oath. Said inspectors shall receive a compensation not exceeding five dollars (\$5) per day for each and every day actually employed by them in the discharge of their duties, and the necessary expenses while so employed.

100. Duties of inspectors.

SEC. 2. It shall be the duty of any of the said inspectors, when complaint is made to him in writing, by five or more residents of the county, owning or occupying lands in the vicinity, that certain lands therein described are infested with field mice, squirrels, or other noxious vermin, to immediately examine the tract or tracts of land complained of, and if upon such investigation, he shall find that the land so complained of, or any portion thereof, is so infested with field mice, squirrels, or other noxious vermin, as to seriously damage, or threaten serious damage to lands in its vicinity, he shall serve a written notice upon the owner or occupant of said land to immediately take such steps to destroy the same, and if the party, or parties, so notified, do not, within five days from the time of receiving said notice, proceed to do so, the inspector shall immediately take such measures as may be necessary to exterminate such field mice, squirrels, or other noxious vermin, and when he shall have completed doing so, he shall present an itemized bill of the expenses incurred therefor, to the owner or occupant of said premises so treated, and if said owner or occupant shall fail to pay the same within fifteen days from the date of the presentation, the inspector performing the work shall so notify the board of county commissioners of his county, with a statement containing a general description of the land treated, the name of the owner or occupant thereof, the time when said land was treated by him, the cost of the treatment, and that the same has not been paid, whereupon such indebtedness shall become a lien against the land so treated, which said lien shall not be removed or defeated until such indebtedness shall have been fully paid, and it shall be the duty of said board of county commissioners to require the district attorney of the county to collect the amount by suit in any court of competent jurisdiction.

LAWS RELATING TO THE QUALIFICATIONS OF BREEDING STOCK

Sections 101 - 124

An Act regulating the breeding of cattle on open ranges within the State of Nevada; defining a standard of breeding for bulls running upon the open range; fixing responsibility and providing a penalty for the violation of any provision of this act.

Approved March 7, 1917, 47

101. Number of bulls regulated.

SECTION 1. It is hereby made unlawful to turn loose, range, or run at large, any cattle where the same may have access to a domain or range common to other cattle, without keeping therewith, between the first day of June and the first day of November of each year, one bull for every thirty head or fraction thereof of female breeding cattle so ranged; *provided, however*, that any person ranging or running at large no greater number than fifteen head of female breeding cattle may jointly provide and arrange with another for an interest in a bull running at large on the open range where such female breeding cattle may range or run. For the purposes of this act, any heifer of the age of twelve months or over shall be considered a breeding cow.

102. Quality of bulls—Certificate to be filed.

SEC. 2. It is hereby made unlawful to turn loose or allow to run at large upon a domain or range common to other cattle, any bull other than such as may be at least three-quarter pure blood of some recognized beef breed of cattle. A three-quarter pure-blood bull, as contemplated by this act, must be a bull having a registration certificate from the breed association of its respective breed, or one whose breeder has issued a certificate or made an affidavit under oath stating therein that the bull is at least three-quarter pure blood and stating the breed to which it belongs. Such certificate or affidavit shall be filed with the county recorder of the county in which the owner of such bull or bulls resides; or if the owner thereof be a nonresident of this state, then such certificate or affidavit shall be recorded in the county or counties in which such bull or bulls are to be ranged; and the county recorder shall provide a book for the recordation of such certificate or affidavit. Such certificate or affidavit shall be filed with the county clerk, as herein provided, on or before the day on which any such bull or bulls are permitted to run at large.

103. Penalties for violation.

SEC. 3. The violation of any of the provisions of this act is hereby declared to be a misdemeanor; and any person or persons, firm, copartnership, or corporation violating any of the provisions of this act shall, upon conviction thereof, be punished by a fine of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, or

by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment. Any manager, superintendent, foreman, or herdsman, or any other person having charge or supervision over the cattle or live stock of any corporation doing business or ranging cattle within this state, who knowingly ranges or runs or permits to be ranged or run at large upon any range of this state the cattle of such corporation without first having complied with the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine or imprisonment, or both, as herein provided.

An Act to protect horse-growers.

Approved March 9, 1889, 97

104. Punishment for erroneous pedigree.

SECTION 1. Any person who shall sell any stallion within the limits of this state, intended for breeding purposes, and who shall give a false or erroneous written pedigree, shall be deemed guilty of a felony, and on conviction thereof, shall be punished by imprisonment in the state prison for a term of not less than one year nor more than five years, and such person so offending shall be liable to the person so purchasing for all damages he may sustain by reason of such false record of pedigree; *provided*, that the provisions of this act shall not apply to any representation concerning pedigree unless the same has been reduced to writing and signed by the party so making the same.

105. To keep pedigree posted—Penalty.

SEC. 2. Every person who shall keep a stallion for the service of mares shall keep posted in a conspicuous place on or near the stable where such stallion is kept, a full and complete pedigree of such stallion headed by the name by which said stallion is known; *provided*, that in cases where the pedigree is unknown such fact shall be inserted in such notice in lieu of pedigree. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than one hundred dollars nor more than five hundred dollars, and as a further punishment for the offense the owner or keeper of such horse shall have no legal right to collect any charges made for services of such horse.

An Act to regulate the public service of stallions and jacks in Nevada.

Approved March 24, 1913, 289

106. Stallion registration board—Pedigree registered.

SECTION 1. Every person, firm, or company, standing or using for public service or offering for sale, any stallion or jack in this state, shall cause the name, description and pedigree of such stallion or jack to be enrolled by a stallion registration board, hereinafter provided for, and shall secure a license from said board as provided for in section 4 of this act. All enrollment and verification of pedigree shall be done by this board.

107. Duties of board.

SEC. 2. In order to carry out the provisions of this act there shall be constituted a stallion registration board, whose duty it shall be to

verify and register pedigrees; to employ one or two graduate veterinarians to make examination of the stallion for soundness; to pass upon certificates of soundness; to issue stallion license certificates; to make all necessary rules and regulations; and to perform such other duties as may be necessary to carry out and enforce the provisions of this act.

108. Board, how composed.

SEC. 3. The stallion registration board shall be composed of the professor of veterinary science and the professor of veterinary science and the professor of animal husbandry at the University of Nevada shall be secretary and executive officer of the board.

NOTE—This section as it appears in the enrolled statutes is obviously defective. The original manuscript of this act as introduced, being Assembly Bill No. 271, Session of 1913, on file in the office of the Secretary of State, while different, is, however, equally defective in so far as creating a personnel for the board is concerned. It reads as follows:

Sec. 3. The stallion registration board shall be composed of the professor of veterinary science and the professor of animal husbandry at the University of Nevada shall be secretary and executive officer of the board.

109. How license secured.

SEC. 4. In order to secure this license certificate herein provided for, the owner shall apply for such to the stallion registration board, after the stallion or jack has been examined for soundness. The owner of such stallion or jack shall furnish to the stallion registration board the veterinary certificate, and the stud-book registry certificate of pedigree of the stallion or jack and all other necessary papers relating to his breeding and ownership. Upon verification of pedigree and breeding and certificate that the stallion or jack has passed the necessary veterinary inspection, as provided for in this act, a license certificate shall be furnished. The presence of one or more of the following-named diseases shall disqualify a stallion or jack from public service and are hereby defined as infectious, contagious, or transmissible diseases or unsoundness for this act: Cataract, amaurosis, laryngeal hemiplegia (roaring or whistling), chorea (St. Vitus dance, crampness, string-halt), glanders or farcy, maladie du coit, urethral gleet, mange, ringbone, bone spavin, sidebone, and curb when accompanied by a curby hock. The stallion registration board is hereby authorized to refuse certificates of enrollment to any stallion or jack affected with any of these diseases specified and to revoke a previously issued license certificate of any stallion or jack found upon examination to be so affected.

110. Temporary licenses, when.

SEC. 5. The stallion registration board is authorized in case of emergency to grant temporary license certificates without veterinary examination, upon receipt of an affidavit of the owner to the effect that to the best of his knowledge and belief said stallion or jack is free from infectious, contagious, or transmissible disease or unsoundness. Temporary license certificates shall be valid only until veterinary examination can reasonably be made.

111. Imported stallion or jack.

SEC. 6. Every person, firm, or company, importing any stallion or jack into the State of Nevada, for breeding purposes or sale, shall first secure a certificate from a recognized state or federal veterinary office, certifying that said stallion or jack is free from any or all diseases or unsoundness referred to in section 4 of this act. A copy of the certificate must be mailed to the secretary of the stallion registration board at the University of Nevada, Reno, Nevada, at least five days before the importation of the stallion or jack into the state. No stallion or jack that is neither pure-bred nor grade according to the meaning of this act shall be imported into the state for breeding purposes.

112. License to be posted.

SEC. 7. The owner of any stallion or jack standing for public service in this state shall post and keep affixed during the entire breeding season copies of the license certificate of such stallion or jack in a conspicuous place both within and upon the outside of every stable, building or corral where the stallion or jack is used for public service at home or elsewhere.

113. Form of poster.

SEC. 8. Upon each bill and poster issued by the owner of any stallion or jack enrolled under this act, or used by him or his agent, for advertising such stallion or jack, the name of the animal shall be preceded by the words "pure-bred," "cross-bred," "grade," "nonstandard-bred," or "mongrel," or "scrub," in accordance with the wording of the certificate of enrollment; and it shall be illegal to print upon the poster any misleading reference to the breeding of the stallion or jack, his sire or his dam, or to use any portrait in a misleading way; and each newspaper advertisement printed to advertise any stallion or jack for public service shall show the enrollment certificate number, and state whether it reads "pure-bred," "cross-bred," "grade," "nonstandard," or "mongrel," or "scrub."

114. Forms of certificates.

SEC. 9. The license certificate issued for a stallion or jack whose sire and dam are pure-bred and of the same breed and the pedigree of which is registered in a stud-book recognized by the United States department of agriculture, shall be in the following form:

Stallion Registration Board
License Certificate of Pure-Bred Stallion No.....

The pedigree of stallion (name).....

Owned by

Described as follows:.....

Color..... Breed.....

Foaled in the year....., has been examined by the stallion registration board of Nevada, and it is hereby certified that the said stallion is of pure breeding and is registered in a stud-book recognized by the United States department of agriculture, Washington, D. C.

(Signature)....., secretary stallion registration board.

The license certificate issued for a stallion whose sire and dam are pure-bred, but of different breeds, shall be as follows:

Stallion Registration Board

License Certificate of Cross-Bred Stallion No.....

The pedigree of stallion (name).....

Owned by

Described as follows:.....

Color..... Breed.....

Foaled in the year....., has been examined by the stallion registration board, and it is found that his sire is registered in....., and his dam in..... Such being the case, the said stallion is not eligible for registration in any stud-book recognized by the United States department of agriculture, Washington, D. C.

License certificate issued for a stallion whose sire or dam is not of pure breeding shall be in the following form:

Stallion Registration Board

License Certificate of Grade Stallion No.....

The pedigree of stallion (name).....

Owned by

Described as follows:.....

Color..... Breed.....

Foaled in the year....., has been examined by the stallion registration board, and it is found that the said stallion is not of pure breeding and is, therefore, not eligible for registration in any stud-book recognized by the United States department of agriculture, Washington, D. C.

License certificate issued for a stallion whose sire and dam are neither of them pure-bred shall be in the following form:

Stallion Registration Board

License Certificate for Mongrel or Scrub Stallion No.....

Name of stallion.....

Owned by

Color..... Foaled in the year..... Has been

examined by the stallion registration board and is found to be of mongrel breeding and is, therefore, not eligible to registry in any stud-book recognized by the United States department of agriculture, Washington, D. C.

(Signature)....., secretary stallion registration board.

115. Fees for registration.

SEC. 10. A fee of ten dollars (\$10) shall be paid the secretary of the stallion registration board for the veterinary examination and enrollment of each pedigree of the stallion as above provided. A fee not exceeding two dollars (\$2) shall be paid annually for the renewal of the pedigree certificate and service license. Stallions and jacks shall be examined every four years, until ten years of age, and after the first examination shall be exempt from examination at ten years of age and over.

116. License transferred with animals.

SEC. 11. Upon the transfer of ownership of any stallion or jack licensed under the provisions of this act, the license certificate may be transferred by the secretary of the board to the transferee upon the submittal of satisfactory proof of such transfer of ownership and upon the payment of one dollar (\$1).

117. Violation, how punished.

SEC. 12. Any person or persons knowingly or wilfully violating any of the provisions of this act shall be punished by a fine of not less than fifty dollars (\$50) nor more than two hundred dollars (\$200), or by imprisonment for not less than thirty days or more than six months, or by fine and imprisonment for each offense.

118. Disposal of accruing funds.

SEC. 13. The funds accruing from the above-named fees shall be used by the stallion registration board to defray the expenses of veterinary examination, of enrollment of pedigrees and issuance of licenses. Any funds not so used shall be used to publish reports or bulletins, containing lists of stallions examined; to encourage the horse- and mule-breeding interests of this state; to disseminate information pertaining to horse-breeding, and for any other such purposes as may be necessary to carry out the purposes and enforce the provisions of this act.

119. Annual report of board.

SEC. 14. It shall be the duty of this board to make annual report, including financial statement, to the governor of the state, and all financial records of said board shall be subject to inspection at any time by the public examiner.

120. Not to apply to certain animals.

SEC. 15. No part of this act shall apply to stallions turned upon the open range, and the term "standing for public service" is hereby defined as the service of a stallion for a fee when said stallion is stood at one or more places for public use, where in all more than five mares are served in one season.

121. Common carriers inhibited.

SEC. 16. No railroad company, transportation company or common carrier shall transport into the State of Nevada any stallion or jack unless accompanied by a state or federal veterinary certificate as provided in section 6 of this act. Violation of this provision shall be punished as provided in section 12 of this act.

122. Printing.

SEC. 17. The superintendent of state printing is hereby authorized and directed to furnish to the stallion registration board all blanks and other printing necessary in carrying out the provisions of this act.

123. Certain animals exempt.

SEC. 18. Stallions and jacks which have been in service in this state more than a year preceding the passage of this act shall not come under the provisions of this act until January 1, 1914.

NOTE—No attempt was ever made to carry out the provisions of this act, owing largely to the fact that no organization was possible in view of the defects of Section 3.

124. False certificate of registration of animals—False representation as to breed.

SEC. 481. Every person who, by color or aid of any false pretense, representation, token or writing, shall obtain from any club, association, society or company for the improvement of the breed of cattle, horses, sheep, swine, fowls or other domestic animals or birds, a certifi-

cate of registration of any animal or bird in a herd-book, or other register of any such association, society or company, or a transfer of any such registration, and every person who shall knowingly represent an animal or bird for breeding purposes to be of a greater degree of any particular strain of blood than such animal actually possesses, shall be guilty of a gross misdemeanor.

The foregoing is Section 6746, Revised Laws of Nevada 1912.

NOTE—See also:

An Act to provide for lien on mare and offspring for service of stallion, etc. Secs. 292-294.

LAWS RELATING TO THE HERDING, GRAZING AND DRIVING OF LIVE STOCK AND THE SHEARING OF SHEEP

Sections 125 - 183

An Act to prohibit herding or grazing of sheep within three miles of any town or village.

Approved March 2, 1901, 37

125. Unlawful to herd within three miles of town.

SECTION 1. It shall be unlawful for any person to herd or cause to be herded or grazed, any number of sheep on any unoccupied land within a radius of three miles of the postoffice of any town or village that has a population of fifty or more persons; *provided*, that this shall not apply to sheep driven to railroad to be shipped or sheared.

126. Idem—A misdemeanor—Punishment.

SEC. 2. Any person who, for himself, or as agent or employee of any other person, firm, corporation, company or association, shall violate the provisions of section 1 of this act shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine in any sum not less than fifty dollars nor more than two hundred dollars for each and every offense, or by imprisonment in the county jail for a period of not less than twenty-five days nor more than one hundred days, or by both such fine and imprisonment as the courts may order.

An Act in relation to herding, grazing and driving of sheep.

Approved March 29, 1907, 427

127. Prohibited from grazing on lands of others or within one mile of ranch house.

SECTION 1. It is not lawful for any person owning or having charge of sheep to herd the same, or permit them to be herded, on the land or possessory claims of other persons, or to herd the same or permit them to be grazed within one mile of a bona-fide home or bona-fide ranch house; *provided*, that nothing in this act shall prevent the owners

from herding or grazing their sheep on their own lands; *and provided further*, that nothing in this act shall be so construed as to prevent sheep being driven along any public highway.

128. Penalty for violation—Damages.

SEC. 2. The owner, or agent of such owner, of sheep violating the provisions of section 1 of this act, on complaint of the party or parties injured, before any justice of the peace for the precinct where either of the interested parties may reside, is liable to the party injured for all damages sustained, and if the trespass be repeated is liable to the party or parties injured for the second and every subsequent offense in double the amount of damages sustained.

129. Sheep, when deemed estrays.

SEC. 3. When the owner or agents of such owner of sheep found trespassing upon the land or possessory claims of another, is unknown to the party or parties injured by such trespass, all sheep so trespassing may be treated as estrays.

An Act entitled "An act to make it unlawful for the owner or owners of swine, goat, or goats to allow them to run at large during a certain period of each year, from and after the approval of this act."

Approved February 19, 1879, 42

130. Goats and swine prohibited to run at large during certain season.

SECTION 1. It shall be unlawful, from and after the passage of this act, for any person or persons, who are the owner or owners, or who may have charge of any swine, goat or goats, within this state, to allow them to run at large and be free commoners, from and after the first day of March to the tenth day of November of each and every year. But the intervening period between the tenth day of November to the first day of March of each year, such swine, goat or goats, may be free commoners.

131. Owners subject to damages—Amount of damages.

SEC. 2. Any swine, goat or goats, belonging to any person or persons, that shall break into any yard, flower or vegetable garden, or any inclosure whatever, or shall root up or destroy any pasture, field, or growing grass for hay purposes, or any kind of growing crop whatever, whether the same be inclosed or not during the period that such swine, goat or goats are prohibited to run at large and be free commoners, by section 1 of this act, such owner or owners shall be subject to such damages as shall be equal to twice the value of the property broken into, eaten up or destroyed.

132. Actions, where tried.

SEC. 3. All actions for damages arising under the provisions of this act shall be tried and determined in the court having jurisdiction thereof, as in other causes made and provided.

NOTE—A later Act prohibits swine being free commoners at any time of the year. See next section.

An Act to prohibit swine from running at large and being free commoners.

Approved March 2, 1885. 50

133. Swine not to be free commoners.

SECTION 1. It shall be unlawful for any person or persons, who are the owner or owners, or who may have charge of any swine within this state, to allow them to run at large and be free commoners.

134. Owners of swine responsible for twice the value of property destroyed.

SEC. 2. Any swine belonging to any person or persons, or under the charge of any person or persons, that shall break into any yard, flower or vegetable garden, or in any inclosure whatever, or shall root up or destroy any pasture, field or growing grass for hay purposes, or any kind of growing crop whatever, whether the same be inclosed or not, such person or persons, owner or owners, shall be subject to such damages as shall be equal to twice the value of the property broken into, eaten up or destroyed.

135. Actions tried, where.

SEC. 3. All actions for damages arising under the provisions of this act shall be tried and determined in the court having jurisdiction thereof, as in other cases made and provided.

An Act relating to trespass of swine, sheep, and goats.

Approved March 5, 1885, 67

136. Unlawful for swine, goats or sheep to run at large in city or town limits.

SECTION 1. It shall be unlawful for any swine, sheep, goat or goats, to run at large, or the owner or owners, or any person or persons, having in charge any swine, sheep, goat or goats, to permit or allow them to run at large within the ordinary limits of any city or town of this state, during any period of the year. Said ordinary limits shall be defined as follows: Within an incorporated city or town the limits shall be as defined in said incorporated clause or clauses; and within a town or city not incorporated in this state, the said ordinary limits shall be defined as follows: Within such city or town, which contains one hundred or more inhabitants, the said limits shall be defined as being within a radius of one mile, radiating from the postoffice of said city or town.

137. Idem.

SEC. 2. It shall be the duty of any sheriff or constable, and the privilege of any citizen, of or in any town described in section 1 of this act, to impound any swine, sheep, goat, or goats. *As amended, Stats. 1901, 46.*

138. Owners may be fined.

SEC. 3. The owner or owners, agent or agents, having jurisdiction over, or charge of, any swine, sheep, goat or goats, shall be fined five dollars for each and every violation of this act, and as much more as in

the wisdom of the court having jurisdiction may deem a sufficient amount to cover all damages.

139. Manner in which impounded animals may be sold—Escheats.

SEC. 4. Any constable, person or persons having in his charge, after they have been impounded, any swine, sheep, goat or goats, shall post a notice that such animal or animals are in his charge, and if not taken out by the owner will be sold. After the expiration of ten days the person having such animal or animals, and having given notice as aforesaid, shall post three written or printed notices in conspicuous places in the town or city where such animal or animals have been taken up, describing the same, giving all marks or brands, if any, and that such animal or animals will be sold by him to pay the charges that have and will have accrued against it, and costs. He shall sell to the highest bidder, and upon payment of the purchase money shall turn over to the buyer the animal or animals sold, and after deducting the damages and costs of sale, shall pay the balance, if any remains, into the county treasury, where it shall remain subject to the laws governing escheats.

An Act to prevent the trespassing of animals upon private property.

Approved December 12, 1862, 13

140. Liability of owner of stock for trespass.

SECTION 1. If any horse, mule, jack, jenny, hog, sheep, goat, or any head of neat cattle, shall break into any grounds inclosed by a lawful fence, the owner or manager of such animal shall be liable to the owner of such inclosed premises for all damages sustained by such trespass; and if the trespass be repeated by neglect of the owner or manager of said animals, he shall for the second and every subsequent offense or trespass be subject to double the damages of such trespass to the owner of said premises.

141. Animals not to be injured—Treated as estrays—Jurisdiction.

SEC. 2. If any owner or occupier of any grounds or crops trespassed upon, provided said ground be enclosed within a fence, by animals entering upon or breaking into his or their grounds, whether enclosed by a lawful fence or not, shall kill, maim, or materially injure the animal or animals so trespassing, he, she, or they shall be liable to the owner of such stock for all damages, and for the costs accruing from a suit for such damages, when necessarily resorted to for their recovery; *provided*, the owner or occupier of such grounds or crops so damaged and trespassed upon, may take up and safely keep, at the expense of the owner or owners thereof, after due notice to said owners, if known, such animals, or so many of them as may be necessary to cover the damages he may have sustained, for ten days, and if not applied for by the proper owner or owners before the expiration of ten days, the same may be posted under the estray laws of the state, and before restitution shall be had by the owner or owners of such animals, all damages done by them, as well also as the expense of posting and keeping them, shall be paid. Any justice of the peace in the township or precinct shall have jurisdiction of all such reclamation of animals,

together with the damages, expense of keeping and posting the same, when the amount claimed does not exceed one hundred dollars.

142. Land of two or more under one inclosure—Damages by one to other.

SEC. 3. When two or more persons shall cultivate lands under one inclosure, neither of them shall place or cause to be placed any animal on his, her or their ground, to the injury or damage of the other or others, but shall be liable for all damages thus sustained by the other or others; and if repeated, after due notice is given, and for every subsequent repetition, double damages, to be recovered in any court having jurisdiction.

An Act to prevent trespass upon real estate by live stock, firing damages therefor, and other matters relating thereto, and to repeal an act entitled "An act to prevent trespass upon real estate by live stock, and other matters relating thereto," approved March 15, 1889.

Approved February 18, 1893, 30

143. Consent of owner of range to be obtained.

SECTION 1. It shall be unlawful for any person or persons to herd or graze any live stock upon the lands of another without having first obtained the consent of the owner or owners of the land so to do; *provided*, that the person claiming to be the owner of said land has the legal title thereto, or an application to purchase the same, with first payment made thereon.

144. Damages, how recovered—Stock may be attached—Lien superior.

SEC. 2. The live stock which is herded or grazed upon the lands of another, contrary to the provisions of the first section of this act, shall be liable for all damages done by said live stock while being unlawfully herded or grazed on the lands of another, as aforesaid, together with costs of suit and reasonable counsel fees, to be fixed by the court trying an action therefor, and said live stock may be seized and held by writ of attachment issued in the same manner provided by the general laws of the State of Nevada, as security for the payment of any judgment which may be recovered by the owner or owners of said lands for damages incurred by reason of a violation of any of the provisions of this act, and the claim and lien of a judgment or attachment in such an action shall be superior to any claim or demand which arose subsequent to the commencement of said action.

145. Act not applicable to certain stock.

SEC. 3. This act shall not apply to any live stock running at large on the ranges or commons.

An Act relating to trespasses of live stock upon cultivated land, and specifying what shall constitute a legal fence for the purposes of this act.

Approved March 24, 1917, 415

146. No trespass on land not fenced.

SECTION 1. No person, firm or corporation shall be entitled to collect damages, and no court in this state shall award damages, for any tres-

pass of live stock on cultivated land in this state if such land, at the time of such trespass, shall not have been enclosed by a legal fence as hereinafter defined.

147. Legal fence defined.

SEC. 2. A legal fence is hereby defined for the purposes of this act as a fence with not less than three horizontal barriers, consisting of wires, boards, poles or other fence material in common use in the neighborhood, with posts set not more than twenty feet apart. The lower barrier shall be not more than sixteen inches from the ground and the space between any two barriers shall be not more than sixteen inches and the height of top barrier must be at least forty-eight inches above the ground. Every post shall be so set as to withstand a horizontal strain of two hundred and fifty pounds at a point four feet from the ground, and each barrier shall be capable of withstanding a horizontal strain of two hundred and fifty pounds at any point midway between the posts.

An Act entitled an act to regulate the herding, grazing and driving of live stock.

Approved March 14, 1917, 124

148. Not to be herded near springs or home of another.

SECTION 1. It shall be unlawful for any person owning, or having charge of any live stock, to drive or herd or permit the same to be herded or driven, on the lands or possessory claims of other persons, or at any spring or springs, well or wells, belonging to another, to the damage thereof, or to herd the same or to permit them to be herded within one mile of a bona-fide home or a bona-fide ranch house; *provided*, that nothing in this act shall prevent the owners from herding or grazing their live stock on their own lands; *and further provided*, that nothing in this act shall be construed as to prevent live stock being driven along any public highway.

149. Violator liable for damages.

SEC. 2. The owner or agent of such owner of live stock violating the provisions of section 1 of this act, on complaint of the party injured, in any court of competent jurisdiction, shall be liable to the person injured for actual and exemplary damages.

An Act making it a misdemeanor to herd, graze, pasture, keep, maintain, or drive live stock upon, over, or across certain lands.

Approved March 22, 1915, 278

150. Trespass on water supply source prohibited.

SECTION 1. It shall be unlawful for any person, persons, firm, corporation, or association, owning or having charge of any live stock, to herd, graze, pasture, keep, maintain, or drive the same upon, over, or across any lands lying within one mile of any surface intake, intakes, water-boxes, or surface reservoirs, used for gathering, storing, and conducting water, when said lands are situated within the watershed of any stream, streams, springs, ponds, lakes, or reservoirs, waters from which, when so gathered and stored, are used for municipal,

drinking, or domestic purposes by the residents and inhabitants of any city or town in the State of Nevada having a population of fifteen hundred or more people.

151. Not to apply to prospectors.

SEC. 2. Section 1 of this act shall not be construed to apply to prospectors or other persons passing over or being temporarily upon said lands with not to exceed ten head of live stock. Neither shall said section apply to live stock running at large upon the ranges.

152. Each trespass separate offense.

SEC. 3. That each and every day the said acts so declared to be unlawful in section 1 hereof are committed, done, and continued shall constitute and be separate, distinct, and new offenses, and any person violating any of the provisions of said section shall be guilty of a misdemeanor, and upon conviction shall, for each and every offense, be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment in the county jail not more than six months, or by both such fine and imprisonment.

An Act to prohibit certain live stock from running at large upon the streets, highways or commons of the cities and towns of the State of Nevada.

Approved February 11, 1893, 19

153. Animals not to run at large in town—Limits defined.

SECTION 1. It shall be unlawful for the owner or owners, or any person or persons having in charge any cow, calf, bull, steer, heifer, horse, gelding, mare, colt, jack, jenny, mule or any neat-foot animal, or any number of such animals, to permit or allow them to run at large within the ordinary limits of any city or town of this state between the hours of six o'clock p. m. and seven o'clock a. m. of each day, during any period of the year. Said ordinary limits shall be defined as follows: Within an incorporated city or town, the limits shall be as defined in said incorporated clause or clauses; and within a town or city not incorporated in this state, the said ordinary limits shall be defined as follows: Within such city or town with fifty or more inhabitants, the said limits shall be defined as being within a radius of half mile, radiating from the postoffice of said city or town.

154. Duties of sheriffs and constables.

SEC. 2. It shall be the duty of the sheriff, deputy and deputies, constable and policemen of or in any town described in section 1 of this act, to impound any or all animals mentioned herein.

155. Fine for violation.

SEC. 3. The owner or owners, agent or agents, or person or persons having charge of such animal or animals, shall be fined five dollars for each and every violation of this act, and as much more, as in the discretion of the court having jurisdiction thereof, may deem a sufficient amount to cover all damages.

156. When animals may be impounded and sold — Disposition of proceeds.

SEC. 4. Any officer, officers, person or persons named in section 2 of this act, having in his charge, after they have been impounded, any

of the animals mentioned in this act, shall post a notice that such animal or animals are in his charge, and if not taken out by the owner or owners, agent or agents, person or persons in charge, by paying all costs, charges and damages, will be sold. After the expiration of ten days the officer or officers, person or persons having such animal or animals, and having given notice as aforesaid, shall post three written or printed notices in conspicuous places in the town or city where such animal or animals have been taken up, describing the same, giving all marks or brands, if any, and that such animal or animals will be sold by him to pay the charges that have and will have accrued against the property, and the costs. He shall sell to the highest bidder, and upon payment of the purchase money shall turn over to the buyer the animal or animals sold, and after deducting the costs of impounding and all accrued costs, including the costs of feeding, keeping and selling, shall pay the balance, if any remains, into the county treasury, where it shall remain subject to the laws governing escheats.

157. Duty of officers.

SEC. 5. It is hereby made the duty of the several officers in this act named, to enforce its provisions, and a failure to do so shall be deemed a misdemeanor, and any officer found guilty thereof shall be fined in a sum not exceeding twenty dollars.

An Act to make unlawful the running at large of live stock upon the enclosed public roads or highways of certain counties, or the straying, feeding or picketing of live stock thereon; to provide for the disposal of such animals and for the punishment of violations of this act.

Approved March 26, 1913, 406

158. Applies to certain county only.

SECTION 1. It shall be unlawful for the owner, or any person having charge or control of any live stock of any kind, to permit or allow them to run at large, upon those public roads or highways of any county which at the last general election cast four hundred twenty-six (426) votes for representative in Congress, or which at any general election hereafter, shall cast four hundred twenty-six (426) votes for representative in Congress or to allow the straying, feeding or picketing of live stock thereon; *provided*, that such public roads or highways are enclosed on one or both sides by a fence of any kind or description.

159. Duties of peace officers.

SEC. 2. It shall be the duty of the sheriff or his deputies, or of any constable or police officer within his bailiwick, either upon his own initiative or upon the complaint of a private person, filed in a court of competent jurisdiction charging a misdemeanor as in this act provided, to seize and impound any and all animals running at large or straying, or feeding or being picketed, as in section 1 described, upon the above-described public roads or highways of said counties, and to immediately arrest the person charged with violating the provisions of this act.

160. Notice of impounding to be posted.

SEC. 3. The impounding officer shall forthwith post notice in three public places in the county to the effect that he has impounded the

animals, describing them, and that if they are not redeemed, by the payment of the cost of feeding and keeping, and a five-dollar fee for each of said animals within ten days, by some one with authority so to do, they will be sold at the end of that time to the highest bidder. If no redemption is made, at the time specified, the officer shall sell the animals to the highest bidder, and after deducting the costs of feeding and keeping, and a fee of five dollars for his services for each animal, shall pay the balance to the owner or owners of the animals.

161. Penalties for violation.

SEC. 4. Any person violating the provisions of this act shall be guilty of a misdemeanor and be punished by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than five days nor more than fifty days, or by both such fine and imprisonment.

An Act to authorize any board of county commissioners to pass ordinances relating to certain animals running at large, making the violation thereof a misdemeanor, and fixing the punishment.

Approved March 26, 1915, 394

162. Preventing running at large.

SECTION 1. It shall be the duty of the board of county commissioners of any county in this state, when petitioned by 25 per cent of the taxpayers of any town or voting precinct not maintaining a separate and independent local government, to pass an ordinance to prevent the running at large of any horse, mule, ass, kine, hog, sheep, or goat in said town or precinct; and providing in said ordinance for the impounding of the said animals as estrays and the payment of certain fees and costs before the release of such animals.

163. Ordinance shall be published.

SEC. 2. When said ordinance is properly drawn and signed by the chairman of the board of county commissioners it shall be published in some newspaper of general circulation published in said town or precinct, and if there be none, then in some newspaper published in the county for a period of at least ten days before going into effect. The cost of publication to be paid by the county out of the general fund of the county the same as other bills.

164. Penalty.

SEC. 3. A violation of any such ordinance shall be a misdemeanor, and punished by a fine of not less than \$5 nor more than \$100, or imprisonment in the county jail for not more than ten days, or by both such fine and imprisonment.

An Act authorizing and empowering boards of county commissioners to pass ordinances to prohibit horses, cattle, swine, goats or sheep from running at large upon any portion of roads and highways of the State of Nevada, which are fenced on one side or both sides within certain districts.

Approved March 28, 1919, 290

165. May be prohibited from running at large.

SECTION 1. The boards of county commissioners of the respective counties of the state are hereby authorized, upon petition of twenty (20) per cent of the taxpayers residing in any district therein defined to pass ordinances prohibiting horses, cattle, swine, goats or sheep from running at large upon any portion of the roads and highways within said district which are fenced on both sides.

166. Petition to county commissioners.

SEC. 2. Such petition may be presented at any regular or special meeting of any board of county commissioners of this state, and shall define the boundaries of the district sought to be established, and shall pray that such district may be established, and that an ordinance may be passed by said board of county commissioners prohibiting any of the live stock mentioned in section one of this act from running at large therein.

167. Stock may be impounded.

SEC. 3. The said boards of county commissioners are hereby authorized and empowered to provide in such ordinance for the impounding and sale of any such live stock running at large within such district, and making a violation of any of the provisions of said ordinance a misdemeanor and punishable as such.

An Act concerning unlawful stock.

Approved April 10, 1862, 9

168. Stallions at large unlawful.

SECTION 1. From and after the passage of this act, it shall be unlawful for stallions of the age of two years and upwards, to run at large among the settlements of this state.

169. Idem—Duty of persons taking up.

SEC. 2. If the owner or owners, or the agent of any owner or owners, shall permit any animal as aforesaid, contrary to the provisions of the first section of this act, to run at large in the settled portions of this state, it shall be lawful for any person to take up and confine the same, giving information to the owner or owners, or agent as aforesaid, of such seizure, if the party or parties shall be known; or, if they shall not be known, then posting notices, conveying such information, in three of the most public places in the township or district in which the animal is taken up. If, at the expiration of ten days from the date of such information given, or of such notice posted, the owner, owners, or agent, as aforesaid, of such animal, shall not appear and legally reclaim it, by paying all the expenses that may have been incurred in the taking up, confining and keeping of the animal, then it shall be

lawful for the taker up to have it emasculated at the risk and additional expense of the owner or owners.

170. May be sold—Proceeds, how disposed of.

SEC. 3. If, at the expiration of thirty days thereafter, no such owner, owners, nor agent shall appear and legally reclaim such animal as aforesaid, then it shall be the duty of the person having possession of it to deliver the same to the constable of the township in which the animal has been found and confined, whose duty it shall be, after three days' notice of the intent, to make sale of the same to the highest cash bidder, and after paying all the necessary expenses incurred in the premises, then to pay the residue of the proceeds of such sale into the treasury of the county in which such sale shall have taken place, for the benefit of the common school fund; *provided, however*, that if the owner or owners of such property shall make claim to it at any time before such sale can legally be made, nothing in this act shall be construed to exempt such owner or owners from payment of all expenses incurred.

171. Original horses not allowed to run at large—Constable may sell.

SEC. 4. No original horse shall be allowed to run at large in any of the settled portions of this state, and any owner or owners of such horse who shall permit it to run at large for the space of five days shall be liable to a forfeiture of the same. Any person shall be authorized to take up the same; and it is hereby made the duty of such person to deliver the animal, immediately, to the constable of the township in which it may be taken up, who, after twenty days' notice, by written or published notification of the intent, posted in two conspicuous places in such township, shall proceed to sell the same to the highest cash bidder; and, after all expenses incurred in the premises shall have been defrayed, the residue of the proceeds of such sale, if there be any, shall be paid into the treasury of the county in which such sale shall have taken place, to be appropriated to the common school fund.

172. Hogs or goats trespassing.

SEC. 5. Any hog or hogs, goat or goats, found trespassing upon the premises of any person or persons in this state, may be taken up by the owner or owners of such premises, and safely kept at the expense of the owner or owners of the hog or hogs, goat or goats, so found trespassing. *As amended, Stats. 1875, 146.*

173. Idem—Notices to be posted.

SEC. 6. All persons taking up hogs trespassing upon their lands, whether inclosed or not, shall, immediately thereafter, post notices in three conspicuous places in the precincts in which such persons reside, containing a description of the ear or other marks of such hogs, whereby the owners may identify them as their property.

174. Idem—Restitution of property.

SEC. 7. If the owners of such hogs come forward within ten days of the time when such notices were posted, and prove them to be their property, the person or persons taking them up shall deliver them to such owner or owners, upon their paying all the costs, charges, and damages sustained by reason of their trespassing.

175. Idem—Forfeiture of property—Sale by constable.

SEC. 8. If, however, the owner or owners shall not claim the same within ten days, then the person taking up such hogs shall immediately notify a constable of the precinct wherein the trespass has been committed, and the constable shall proceed to sell, at public auction, after giving five days' notice of such sale, by posting notices in three public places in said precinct, all such hogs so taken up; *provided*, that the owners may prove their property and receive the same, by paying all costs and damages, at any time before such sale can take place.

176. Idem—Arbitration of charges.

SEC. 9. If the parties cannot agree as to the amount of charges and damages, then each party may choose one disinterested person, and they may choose a third person, who shall determine the amount thereof; and should the owners not come forward, then the constable shall select three disinterested persons to determine the amount.

177. Idem—Fees of constable.

SEC. 10. The fees of the constable, under the provisions of this act, shall be the same as allowed by law for all similar services.

178. Surplus money paid to whom.

SEC. 11. If there shall be any surplus money arising from the proceeds of such sales, after paying all costs, charges and damages, the constable shall pay the same to the owner or owners of such hogs sold; *provided*, that they prove they are entitled to it within fifteen days after the sale, otherwise he shall pay it into the treasury of the county in which such sale shall have been made, taking the receipt of the treasurer for the same, for the benefit of the common school fund.

179. Liability of constable—Misdemeanor.

SEC. 12. Any constable refusing or neglecting to pay to the county treasurer, or to the owner or owners, the surplus derived from any sale made under the provisions of this act, shall be liable for the same on his official bond, and shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars.

180. Allowing vicious animal at large.

SEC. 326. Every person having the care or custody of any animal known to possess any vicious or dangerous tendencies, who shall allow the same to escape or run at large in any place or manner liable to endanger the safety of any person, shall be guilty of a misdemeanor; and any person may lawfully kill such animal when reasonably necessary to protect his own or the public safety.

The foregoing is Section 6591, Revised Laws of Nevada 1912.

181. Shearing sheep within cities and towns prohibited.

SEC. 283. It shall be unlawful for any sheep to be penned, housed or fed for the purpose of being sheared, or to be sheared, within the ordinary limits of any city or town of this state during any period of the year. This shall not apply to any place not within one-half mile of a residence. Any person, corporation, or agent, being owner of or having control or charge of any sheep, who shall wilfully violate any of the provisions of this section, shall be guilty of a misdemeanor, and

upon conviction thereof shall be punished by a fine not exceeding one hundred dollars or imprisonment not exceeding fifty days, or both.

The foregoing is Section 6548, Revised Laws of Nevada 1912.

182. Stock not to be driven from range.

SEC. 377. No person shall be permitted to lead, drive, or in any manner remove, any horse, mare, colt, jack, jenny, mule, or any head of neat cattle, or hog, sheep, goat, or any number of these animals, the same being the property of another person, from the range on which they are permitted to run in common, without the consent of the owner thereof first had and obtained; *provided*, the owner of any such animals, as aforesaid, finding the same running on the herd grounds or commons, with other animals of the same kind, may be permitted to drive his own animal or animals, together with such other animals as he cannot conveniently separate from his own, to the nearest and most convenient corral, or other place for separating his own from other animals, if he, in such case, immediately, with all convenient speed, drive all such animals, not belonging to himself, back to the herd ground from which he brought such animals. Any person violating the provisions of this section shall be guilty of a misdemeanor, and, on conviction thereof, shall be punishable by a fine of not less than twenty nor exceeding five hundred dollars, or imprisonment not exceeding six months nor less than thirty days, or both.

The foregoing is Section 6642, Revised Laws of Nevada 1912.

An Act to amend an act entitled "An act to provide for the better preservation of public roads and highways," approved March 5, 1885, by adding a new section thereto to be known as section 1a.

Approved March 22, 1913, 238

183. Owner to repair public road injured by driving stock.

SECTION 1. The above-entitled act is hereby amended by adding thereto a new section to be known as section 1a, which shall provide as follows:

Section 1a. Any person, party or corporation driving sheep, goats, swine, horses or cattle along or across any public road or highway, or along or across any street or alley in any unincorporated town in this state for any purpose whatever, who by so doing damages or impairs said public road or highway or street or alley, as the case may be, shall be and he is hereby required, at his own expense, to make any and all repairs necessary to put said road, highway, street or alley in as good condition as it was before said damage was done.

NOTE—See also:

An Act concerning estray animals. Secs. 216-222.

Laws relating to the unlawful use of domesticated animals. Secs. 231, 232.

An Act for the prevention of cruelty to animals, etc. Secs. 233-249.

Laws relating to railroads in connection with live stock. Secs. 305-316.

Laws relating to the use and recording of marks and brands of live stock. Secs. 184-215.

Laws relating to the qualifications of breeding stock. Secs. 101-124.

LAWS RELATING TO THE USE AND RECORDING OF
MARKS AND BRANDS OF LIVE STOCK AND
HIDE INSPECTION

Sections 184 - 215

An Act to regulate marks and brands of stock.

Approved February 27, 1873, 99.

184. Stock at large must have particular brand.

SECTION 1. Owners of horses, mules, cattle, sheep, goats, or hogs, running at large, must have a mark or brand, and counterbrand, different from any one in use by any other person, so far as may be known.

185. Brand to be recorded—Fees for.

SEC. 2. Every such owner shall record, with the recorder of his county, his mark, brand, and counterbrand, by delivering to said recorder his mark, cut upon a piece of leather, and his brand and counterbrand burnt upon it, and the same shall be kept in the recorder's office; a certified copy thereof made by the recorder, with the seal of his office attached thereto, shall be deemed evidence on the trial of any action in a court of competent jurisdiction, as to the ownership of all animals legally marked or branded as hereinafter provided. The recorder shall enter in a book, to be kept by him for that purpose, a copy of said marks, brands, and counterbrands, provided that such recorder shall be satisfied that such brand and counterbrand tendered to him for record is unlike any other mark, brand, or counterbrand in the county, or, as far as his knowledge extends, is different from any other in the state. For recording the mark, brand, and counterbrand, and transmitting the same as hereinafter provided, the recorder shall be entitled to demand and receive two dollars.

186. Transcript of marks and brands.

SEC. 3. It shall be the duty of every recorder in this state to transmit to the recorders of the adjoining counties, a transcript of all the marks, brands, and counterbrands recorded in his office, which shall be filed by any such recorders in their offices, and reference thereto shall be made in every case of application for the record of marks and brands under this act.

187. Neglect of recorder—Penalty.

SEC. 4. Any recorder knowingly and wilfully neglecting or refusing to comply with the provisions of this act, shall forfeit and pay for every such neglect or refusal, any sum not less than twenty-five nor more than one hundred dollars, to be recovered before any justice of the peace of said county where such neglect or refusal may occur, by any person suing therefor, together with all costs and damages that may occur by such neglect or refusal.

188. Stock, when to be branded—Evidence.

SEC. 5. Every person shall brand his horses and mules, and mark and brand his cattle before they are twelve months old, and mark his sheep, goats, and hogs before they are six months old. On the trial of an action as provided in section 2 of this act, to recover possession of any animal which is marked or branded as provided in this act, the mark and brand shall be primary evidence that the animal belongs to the owner or owners of the mark or brand, and that he, she, or they were entitled to the possession of the said animal at the time of the commencement of the action.

189. But one mark and brand to be used.

SEC. 6. No person shall use more than one mark, brand, or counterbrand; *provided, however*, this shall not extend to those persons who are the owners of more than one ranch or farm.

190. Penalty for using unrecorded brand.

SEC. 7. If any person shall use any mark, brand, or counterbrand, other than the one recorded by him, except by the consent of the owner of such other mark, brand, or counterbrand, he shall be liable to forfeit and lose to any person suing therefor, the stock so marked or branded with any other than his proper mark or brand recorded by him.

191. Not more than half ear removed—Penalty.

SEC. 8. No person, company, corporation, or association shall be allowed to use a mark made by cutting off more than half of the ear, measuring from the tip or extreme outer limit of the ear towards the animal's head, or by cutting the ear on both sides to a point. All companies, corporations, associations or individuals who may now be using such marks are hereby required to change the same immediately after the passage of this act. Any person who shall, either for himself, or as agent for any company, corporation or association, violate any of the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment in the county jail for a period not to exceed six months, or by both such fine and imprisonment. *As amended, Stats. 1901, 18.*

192. Mark and brand unlawful if not recorded—Sales—Counterbrand.

SEC. 9. No mark, brand, or counterbrand shall be considered as lawful if not recorded as specified in this act; and all persons selling or disposing of any cattle which are not intended for slaughter, or any horses, mares, mules, jacks, or jennies, shall be required to counterbrand them on the shoulder, or give a written descriptive bill of sale; and any person failing to so counterbrand said animals, or give such written bill of sale, shall lose all benefits of this act, and all rights to use said brand as evidence in any court under this act.

The provisions of this section have no application to the use of such mark or brand in the identification of cattle as evidence in a criminal prosecution for larceny. *State v. Cardelli, 19 Nev. 320, 328 (10 Pac. 433).*

193. Mismarking or misbranding to defraud, a misdemeanor.

SEC. 10. Any person, who with intent to defraud, shall wilfully mismark or misbrand any stock not his own, on conviction thereof shall

be deemed guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for the period of not less than ten days nor more than one hundred days, or a fine of not less than twenty dollars nor more than two hundred dollars, or by both such fine and imprisonment, as the court may impose. *As amended, Stats. 1887, 88.*

An Act regulating the use of marks and brands of stock, and the recording thereof, and providing penalties for the violation thereof and repealing all acts in conflict therewith.

Approved March 20, 1909, 128

194. Similar brand prohibited.

SECTION 1. It shall be unlawful for any person or persons, firm, association, copartnership or corporation to have a brand and mark stock therewith, which brand is similar in form and design to, or a modification of, any brand or mark recorded prior thereto, in accordance with the laws now in effect regulating the recording of marks and brands of stock. *As amended, Stats. 1919, 391.*

195. Unlawful to mark with similar brand.

SEC. 2. It shall be unlawful for any person or persons, firm, association, copartnership or corporation to mark and brand stock with a brand similar in form and design to, or a modification of, any prior recorded brand. *As amended, Stats. 1919, 392.*

196. Idem—Changes recorded without charge.

SEC. 3. All such changes in the locations of brands or marks made necessary by the provisions of this act, shall be made by the respective county recorders without charge. The respective county recorders may and shall, upon the application of the owner or owners of the similarly designed or formed or modified brand, amend the original record of said brand so as to cause it to conform to the provisions of this act.

197. Restrictions as to recording.

SEC. 4. It shall be unlawful for any county recorder to record any mark or brand which shall be similar in form and design to any prior recorded brand, or any modification thereof, if said brand or mark is to be placed upon the same place on the animal branded or marked therewith as the prior recorded brand, to which it is similar in form and design, or a modification thereof.

198. Penalties.

SEC. 5. Any person or persons, or the agents or agents of any firm, association, copartnership or corporation violating the provisions of sections 1 and 2 of this act, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for not more than five years, or by a fine of not less than one hundred dollars nor more than three thousand dollars, or by both such fine and imprisonment.

199. Penalty on county recorder.

SEC. 6. Any county recorder violating the provisions of section 4 of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty dollars nor more than one hundred dollars.

An Act relating to and requiring the rerecording of brands upon live stock.

Approved March 25, 1915, 373

200. Marks and brands to be rerecorded.

SECTION 1. Every person, company, or corporation having horses, cattle, or other live stock and owning a brand or mark, or brands or marks, for the same, shall record such brand or brands, or mark or marks, with the county recorder on or before the first day of January, 1916, and again within sixty days prior to the first day of January, 1921, and repeatedly within sixty days prior to the first day of January at the end of each five-year period thereafter, such record to be made in the manner provided by existing laws for the recording of mark or brands.

201. Brands deemed abandoned, when.

SEC. 2. On and after the first day of January, 1916, no person, company, or corporation shall claim or own any brand or mark which has not been rerecorded in accordance with the provisions of this act, and any failure to rerecord a brand or mark as required by the provisions of this act shall be deemed an abandonment of the same, and any person, company, or corporation shall be at liberty to adopt and use any brand or mark so abandoned; *provided*, that no person, company, or corporation shall be at liberty to claim or use any such abandoned brand or mark until after he has caused the same to be recorded in his own name, under the provisions of this act; *and provided further*, that before such brand or mark may be claimed or used by such person, company, or corporation, the notice specified in the following section shall have been given.

202. Recorder to give notice of right.

SEC. 3. It shall be the duty of the county recorder to notify the owner of any recorded mark or brand, at least sixty days prior to the expiration of any time in this act provided for the rerecording of any mark or brand, of his right to rerecord the same. Such notice shall be given in writing, and shall be addressed to such owner at the postoffice address named upon the books of said county recorder, and such notice shall be complete at the expiration of sixty days from the date of its mailing by said county recorder.

203. Notice to be published.

SEC. 4. It shall be the duty of the county recorder to publish in one newspaper in the county at least once a week for six consecutive weeks, and for seven consecutive weekly insertions, within sixty days prior to the expiration of any time in this act providing for the rerecording of any mark or brand, a notice of the expiration of the time fixed by this act for the rerecording of marks and brands and of the right of all persons owning any mark or brand to rerecord the same, which notice shall not exceed two hundred words.

204. Present law to govern.

SEC. 5. All rerecording of old brands or marks, and all recording of new brands or marks, shall be done and made in all respects in accor-

dance with the provisions of existing laws for the recording of marks and brands.

205. Fees.

SEC. 6. For rerecording of any old brand or mark, the fee shall be the sum of fifty cents; for recording a new brand or mark, or any old brand or mark in the name of the new owner, the fee shall be as now allowed by law.

206. Bill of sale of brand.

SEC. 7. A bill of sale, duly witnessed, of any recorded mark or brand shall be prima facie evidence of ownership of such brand.

An Act to provide for the appointment of inspectors of hides, defining their duties and mode of compensation, and repealing a certain act.

Approved March 15, 1915, 148

207. Inspectors appointed, when—Inspectors to search, when.

SECTION 1. It shall be the duty of any board of county commissioners of any county of this state, upon the application in writing of three or more property owners in any township of any county of the state, to appoint in and for said township and for such length of time as may be deemed necessary, not exceeding two years, an inspector of hides, whose duty it shall be to examine, when requested so to do by any three taxpayers of said township, the hides of any or all cattle killed in said township, and to mark such hide inspected in such a manner as may be indicated by the said board of county commissioners, and shall, upon the request of said taxpayers aforesaid, have the right, and it shall be his duty, to go upon the premises of any resident of such township and make search for any hides concealed, or which such inspector or said taxpayers may have reason to believe are concealed upon said premises, and shall report in writing, to the district attorney of the county in which he has been appointed, at such time as may be designated by the said board of county commissioners making the appointment, giving the number of hides inspected, the brands or other marks upon such hides, the names of the persons in whose possession they were found, and whether the persons having them in possession had killed the cattle from which the hides were taken, or had obtained them from other persons, and the names of such persons.

208. Pay of inspectors.

SEC. 2. The rate of compensation of such inspectors shall be fixed by the said board of county commissioners at the time the appointments are made, and shall be paid by the parties on whose petitions they are appointed, or by the taxpayers upon whose request they act, as provided in section one of this act.

209. Repeal.

SEC. 3. An act entitled "An act to amend an act entitled 'An act to provide for the appointment of inspectors of hides, defining their duties and mode of compensation,' approved March 3, 1881," approved March 10, 1897, is hereby repealed.

210. Taking or misbranding domestic animals, selling or purchasing hide or carcass, grand larceny.

SEC. 375. Every person who shall feloniously steal, take and carry, lead, drive or entice away any horse, mare, gelding, colt, cow, bull, steer, calf, mule, jack, jenny, or any one or more head of cattle or horses or any sheep, goat, hog, shoat or pig, not his own property but belonging to some other person; and every person who shall mark or brand, or cause to be marked or branded, or shall alter or deface, or cause to be altered or defaced, a mark or brand upon any horse, mare, gelding, colt, cow, bull, steer, calf, mule, jack, jenny, or any one or more head of cattle or horses, or any sheep, goat, hog, shoat or pig, not his own property but belonging to some other person, with intent thereby to steal the same or to prevent the identification thereof by the true owner, or to defraud; and every person who, with intent to defraud, or to appropriate to his own use, shall wilfully kill any animal running at large, not his own, whether branded, marked or not; and every person who shall sell or purchase, with intent to defraud, the hide or carcass of any animal the brand or mark on which has been cut out or obliterated, shall be deemed guilty of grand larceny, and upon conviction shall be punished by imprisonment in the state prison for any term not less than one year nor more than fourteen years.

The foregoing is Section 6640, Revised Laws of Nevada 1912.

211. Hides must be preserved intact.

SEC. 375½. It shall be unlawful for any person to have in his possession any hide of any cow, bull, steer, calf, or heifer, from which hide the ears have been removed or the brand cut out or removed, or the brand obliterated, defaced, or disfigured so that the same cannot be readily recognized, and any person having such hide in his possession shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for any term not less than one year nor more than five years. *Added, Stats. 1915, 155.*

NOTE—Sec. 375½ declared unconstitutional, *Park v. State*, 42 Nev. 386, 178 Pac. 389.

212. Failure to exhibit hide or keep record of brand, misdemeanor.

SEC. 376. It shall be unlawful for the keeper of any slaughter-house, or persons engaged in slaughtering cattle for sale in this state, to purchase any cattle for slaughter, or any slaughtered bovine animal, without having exhibited to him the hide of such animal, and examining the brand and other marks upon such hide, and making and entering in a book kept for that purpose a description of such brands and marks, together with the name of the person from whom the purchase was made, and the date of such purchase. Said book shall be kept at the slaughter-house or business office of the person engaged in slaughtering cattle, and shall be open to the inspection of any person or persons during business hours. Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than fifty dollars nor more than five hundred dollars or imprisoned in the county jail not less than thirty days nor more than two hundred and fifty days, or by both such fine and imprisonment. It shall be the duty of every keeper of any slaughter-house, and engaged in the business of slaughtering any bovine animals,

to keep at his slaughter-house, or place of business a book of record, in which shall be recorded and preserved a description of the brand and other marks upon the hides of each slaughtered bovine animal, together with the name of the person from whom the animal was purchased, and the date of the purchase. Said book shall be opened to the inspection of any person or persons during business hours. Any person violating the provisions of this section shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than fifty dollars, nor more than five hundred dollars, or imprisoned in the county jail not less than thirty days nor more than two hundred and fifty days, or by both such fine and imprisonment. *As amended, Stats. 1913, 373.*

The foregoing is Section 6641, Revised Laws of Nevada 1912.

213. Peddler of meat to exhibit hide—Exception—Penalty.

SEC. 376 $\frac{1}{2}$. It shall be unlawful for any person peddling the meat of any bovine animal, who is not the keeper of any shop or meat-market, to sell such meat without having in his possession, then and there, and upon request exhibiting, the hide of such animal containing the brand and other marks thereon. Any person violating the provisions of this section shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than fifty (\$50) dollars nor more than five hundred (\$500) dollars, or imprisoned in the county jail not less than twenty-five days, nor more than two hundred and fifty days, or by both such fine and imprisonment. *Added, Stats. 1919, 298.*

214. Imitating lawful brand.

SEC. 480. Every person who, in any county, shall place upon any property, any brand or mark in the likeness or similitude of another brand or mark filed with the county recorder of such county by the owner thereof as a brand or mark for the designation or identification of a like kind of property, shall—

1. If done with intent to confuse or commingle such property with, or to appropriate to his own use, the property of such other owner, be guilty of a felony, and be punished by imprisonment in the state prison for not more than five years, or by imprisonment in the county jail for not more than one year, or by a fine of not more than one thousand dollars, or both fine and imprisonment; or,

2. If done without such intent, shall be guilty of a misdemeanor.

This section shall not apply to any act for which a penalty is elsewhere provided in this act.

The foregoing is Section 6745, Revised Laws of Nevada 1912.

215. Brand of cattle prima facie evidence of ownership.

SEC. 322. Upon the trial of any public offense which concerns any neat cattle, horse, mule, or other animal running at large upon any range in this state, the brand and other marks upon such animal shall be prima facie evidence of ownership.

The foregoing is Section 7172, Revised Laws of Nevada 1912.

LAWS RELATING TO ESTRAY AND OWNERLESS ANIMALS

Sections 216 - 230

An Act concerning estray animals.

Approved November 8, 1861, 22

216. Estrays to be reported to a justice—Procedure—Failure misdemeanor—Larceny.

SECTION 1. Every person finding any stray horse, mare, colt, jack, or jenny, or any neat-foot animal, or any number of these animals, upon his farm or premises, or upon the public highway or domain, and shall take the same up for keeping, shall, within ten days, if said animal or animals remain on his farm or premises, or keeping, go before some justice of the peace of his township, and give, under oath, a full description of the marks and brands, color, and kind of such animal or animals, also the time, and all necessary information that will lead to the cause of the said animal or animals coming into his keeping, that may have come to his knowledge, and the marks and brands have not been altered since they came to his farm or premises; *provided*, no animal shall be considered an estray if the owner is known to the person finding it. At the time the taker-up appears before the justice, as aforesaid, the justice shall, without delay, appoint two disinterested appraisers, who are resident householders of the county, to appraise and describe such animal or animals, and cause a notice of such estray or estrays, with a full description of the same, giving the brands, marks and colors thereon, to be published once a week for two consecutive months, in a newspaper published at the county-seat of the county in which the animal or animals may be taken up, and if there be no newspapers published at the county-seat, then the said notice shall be published in the newspaper nearest to the same. The said justice shall also cause three notices to be posted of such estrays, in conspicuous places, one of which shall be the justice's office, and the others the vicinity of the place where the estray animal or animals may have been taken up. For refusing or neglecting to comply with the provisions of this section of this act, justices of the peace shall be deemed guilty of misdemeanor in office, and the taker-up of such estray or estrays shall be deemed guilty of grand or petit larceny, according to the value of the estray animal or animals taken up, and, on conviction thereof, shall be punished as is provided in the law of the State of Nevada entitled "An act concerning crimes and punishments." *As amended, Stats. 1877, 90.*

217. Record of estray—How restored to owner.

SEC. 2. It shall be the duty of the said justice to record the description, together with full information given by the taker-up, and the justice shall, within ten days, if the estray animal or animals is or are not before proved by their proper owner, transmit a full transcript to

the county recorder of his county, and the said recorder shall record the same in his stray-book; said book shall be subject to examination by all persons making application to the recorder, and also the stray-book of the justice of the peace; and every person claiming and proving said stray animal or animals that has or have been posted by this act, shall have restitution of the property so claimed, by paying all costs and such charge as may be awarded to the taker-up by the justice of the peace of his county.

218. Penalty for neglect to comply with act.

SEC. 3. Any person knowing of any horse, mare, colt, mule, jack, or jenny, or any number of neat cattle, or any number of these animals, running at large on his farm or premises, and not knowing the proper owner, who refuses or neglects to comply with the requisitions of the foregoing section, shall be subject to a fine not exceeding the value of the stock so neglected to be posted, recoverable before any court having jurisdiction of the same.

219. Estrays not to be used.

SEC. 4. No person shall be allowed or permitted to use, or cause to be used, to profit or otherwise, any animal within his charge or keeping, under the foregoing provisions of this act; and any persons failing or refusing to comply with the requisitions set forth in this section shall be deemed guilty of grand or petit larceny, according to the value of the same, and, on conviction thereof, be punished in accordance with the provisions of the act concerning crimes and punishments. *As amended, Stats. 1877, 91.*

220. Penalty for moving estrays.

SEC. 5. The owners of any stray animal, which is legally taken up under the provisions of this act, shall not be permitted to take, lead, or drive the same from the farm or possession of the person legally possessed of such animal, until proven and charges paid according to the provisions of this act; and any person knowingly and wilfully violating the provisions of this section, shall be subject to all the penalties that he would be subject to under the statute law, provided he had no claim on such animal.

221. Removing, larceny, when.

SEC. 6. If any one shall remove any stray animal from any rancho, or farm, or inclosure, contrary to the provisions of this act, who shall not be the owner of the same, he shall be deemed guilty of grand or petit larceny, according to the value of the property.

222. Right to reclaim forfeited.

SEC. 7. If the owner of any lost or stray animal shall not appear and prove his property therein within three months, provided they are neat-foot animals and valued at fifty dollars and under that amount, and six months, provided they are horses, mules, or other animals, and valued at one hundred dollars and upwards, after the same is posted, he shall forfeit his right thereto, and the property in such animal shall be vested in the taker-up, on his payment into the county treasury the one-half appraised value thereof, as fixed by the appraisers as aforesaid.

223. Moneys paid, how disposed of.

SEC. 8. All moneys paid into the county treasury, under the provisions of this act as above provided, shall become a part and belong to the county school fund of the county in which the proceedings are had, and be drawn from the county treasury on proper warrant, and shall be exclusively appropriated to the county school fund, and for no other purpose.

224. Fees of justice and recorder—Costs, by whom paid.

SEC. 9. The justice of the peace and recorder shall receive for their services in any one case, whether for one or more animals, two dollars and fifty cents each; and all other officers or persons shall receive for their services the same fees as are allowed for similar services within the county. All costs and charges accruing under this act shall be paid by the person taking up the estray animal or animals, but shall be reimbursed by the owner, upon proof and delivery of his property. *As amended, Stats. 1877, 186.*

225. Taker-up not liable for escape or death.

SEC. 10. If any stray animal die or escape from the possession of the taker-up, at any time before the expiration of six months from the taking up, he shall not be held liable in any manner on account of such animal.

226. Stallions and Spanish bulls to be castrated.

SEC. 11. That if any stallion one and a half years old or upwards, shall be found running at large, out of the enclosed ground of the owner or keeper of said horse, it shall be lawful for any person to take up such horse, and forthwith give notice to the owner or keeper thereof, if said owner or keeper be known; and if the owner or keeper do not appear within three days thereafter, and pay to the said taker-up five dollars as a compensation for his trouble, the taker-up shall proceed to advertise said horse; and the same proceedings shall be had in every respect, as hereinbefore provided in cases of stray horses; *provided*, that the taker-up may, at the expiration of twenty days from the time of advertising, castrate, or procure to be castrated, the said horse, which shall be done at the risk and expense of the owner. And all Spanish bulls of one and a half years old and upwards, found running at large, shall be castrated, or cut, as hereinbefore provided.

An Act relating to the destruction of wild horses and burros, requiring a permit therefor, and providing a penalty for the violation thereof.

Approved March 13, 1913, 118

227. Application—Bond.

SECTION 1. Any resident of the State of Nevada is hereby authorized, and it shall be lawful for said resident to kill any wild unbranded horse, mare, colt or burro of the age of twelve months or over found running at large on any of the public lands or ranges within the State of Nevada; *provided*, that the person desiring to kill horses, mares, colts or burros under the provisions of this act shall first file with the board of county commissioners of the county in which he desires to

kill any such horse, mares, colts or burros a written application generally describing the range or public lands upon which he intends to kill said horses, mares, colts or burros. Said application shall remain on file at least two weeks before being acted upon by said board of county commissioners, and said board of county commissioners shall have the power to grant or refuse the application, and prescribe any conditions as the circumstances may warrant, and may, at any time, revoke the permit given under said application, and under the provisions of this act without assigning any reasons therefor; *and provided further*, that before the permission granted by said board of county commissioners shall become effective, the applicant shall file with and have approved by said board of county commissioners, a bond in the sum of \$2,000 with two sureties, said bond to be conditioned that said applicant will comply with the provisions of this act and be answerable in damages to the owner or owners of any branded horses which he kills contrary to the provisions of this act.

228. Permit necessary.

SEC. 2. It shall be unlawful for any person to kill, wound or maim any wild unbranded horses, mares, colts, or burros of the age of twelve months or over found running at large on any of the public land or ranges within the State of Nevada, without first having obtained a permit from the board of county commissioners as provided in section 1 of this act.

229. Unlawful to kill certain animals.

SEC. 3. It shall be unlawful for any person to kill, wound or maim any wild unbranded horse, mare, colt, or burro under the age of twelve months. And no permit granted by the board of county commissioners under the provisions of section 1 of this act shall include or give the right to any person to kill, wound or maim any wild unbranded horse, mare, colt, or burro under the age of twelve months.

230. Penalties for violation.

SEC. 4. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than twenty dollars, nor more than five hundred dollars, or be confined in the county jail for a period not exceeding six months, or by both such fine and imprisonment.

NOTE—See also:

An Act in relation to herding, grazing and driving of sheep. Sec. 129.

An Act relating to trespass of swine, sheep and goats. Sec. 137.

An Act to prevent the trespassing of animals upon private property. Sec. 141.

An Act to prohibit certain live stock from running at large upon the streets, etc. Sec. 154.

An Act to make unlawful the running at large of live stock upon the enclosed public roads and highways of certain counties, etc. Sec. 159.

An Act authorizing and empowering boards of county commissioners to pass ordinances to prohibit horses, cattle, swine, goats or sheep from running at large, etc. Sec. 167.

An Act concerning unlawful stock. Sec. 168-179.

LAWS RELATING TO THE UNLAWFUL USE OF DOMESTICATED ANIMALS

Sections 231 - 232

231. Fraud by bailee of animal.

SEC. 442. Every person who shall obtain from another the possession or use of any horse or other draft animal or any vehicle or automobile, without paying therefor, with intent to defraud the owner thereof, or who shall obtain the possession or use thereof, by color or aid of any false or fraudulent representation, pretense, token or writing, or shall obtain credit for such use by color or aid of any false or fraudulent representation, pretense, token or writing; or who having hired property, shall recklessly, wilfully, wantonly or by gross negligence injure or destroy or cause, suffer, allow or permit the same, or any part thereof, to be injured or destroyed; or who, having hired any horse or other draft animal upon an understanding or agreement that the same shall be ridden or driven a specified distance or to a specified place, shall wilfully and fraudulently ride or drive or cause, permit or allow the same to be ridden or driven a longer distance, or to a different place, shall be guilty of a misdemeanor.

The foregoing is Section 6707, Revised Laws of Nevada 1912.

232. Working domestic animals without consent.

SEC. 479. If any person shall use or work any horse or horses, mule or mules, or work cattle without first obtaining the consent of the owner thereof, he shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than one hundred or more than three hundred dollars, or by imprisonment in the county jail for not less than fifty days or more than three hundred days.

The foregoing is Section 6744, Revised Laws of Nevada 1912.

NOTE—See also:

An Act for the prevention of cruelty to animals, etc. Secs. 233-249.

An Act concerning stray animals. Sec. 219.

LAW RELATING TO THE PREVENTION OF CRUELTY TO ANIMALS

Sections 233 - 249

An Act for the prevention of cruelty to animals, defining certain terms and fixing the grade of crimes for violation thereof, and repealing certain sections of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911.

Approved March 28, 1919, 319

233. Definitions.

SECTION 1. The word "animal," as used in this article, does not include the human race, but includes every other living creature;

2. The word "torture" or "cruelty" includes every act, omission, or neglect, whereby unjustifiable physical pain, suffering or death is caused or permitted.

234. Keeping a place where animals are fought.

SEC. 2. A person who keeps or uses, or is in any manner connected with, or interested in the management of, or receives money for the admission of any person to, a house, apartment, pit or place kept or used for baiting or fighting any bird or animal, and any owner or occupant of a house, apartment, pit or place who wilfully procures or permits the same to be used or occupied for such baiting or fighting, is guilty of a misdemeanor. Upon complaint under oath or affirmation to any magistrate authorized to issue warrants in criminal cases that the complainant has just and reasonable cause to suspect that any of the provisions of law relating to or in any wise affecting animals are being or about to be violated in any particular building or place, such magistrate shall immediately issue and deliver a warrant to any person authorized by law to make arrests for such offenses, authorizing him to enter and search such building or place, and to arrest any person there present found violating any of said laws, and to bring such person before the nearest magistrate of competent jurisdiction to be dealt with according to law.

235. Instigating fights between birds and animals.

SEC. 3. A person who sets on foot, instigates, promotes, or carries on, or does any act as assistant, umpire, or principal, or is a witness of, or in any way aids or engages in the furtherance of any fight between cocks or other birds, or dogs, bulls, bears, or other animals, premeditated by any person owning, or having custody of such birds or animals, is guilty of a misdemeanor.

236. Officer may take possession of animals or implements used in fights among animals.

SEC. 4. Any officer authorized by law to make arrests may lawfully take possession of any animals, or implements, or other property used

or employed, or about to be used or employed, in the violation of any provision of law relating to fights among animals. He shall state to the person in charge thereof, at the time of such taking, his name and residence, and also the time and place at which the application provided for by the next section will be made.

237. Disposition of animals or implements used in fights among animals.

SEC. 5. The officer, after taking possession of such animals, or implements or other property, pursuant to the preceding section, shall apply to the magistrate before whom complaint is made against the offender violating such provision of law, for the order next hereinafter mentioned, and shall make and file an affidavit with such magistrate, stating therein the name of the offender charged in such complaint, the time, place and description of the animals, implements or other property so taken, together with the name of the party who claims the same, if known, and that the affiant has reason to believe and does believe, stating the grounds of such belief, that the same were used or employed, or were about to be used or employed, in such violation, and will establish the truth thereof upon the trial of such offender. He shall then deliver such animals, implements or other property, to such magistrate, who shall thereupon, by order in writing, place the same in the custody of an officer or other proper person in such order named and designated, to be by him kept until the trial or final discharge of the offender, and shall send a copy of such order, without delay, to the district attorney of the county. The officer or person so named and designated in such order shall immediately thereupon assume such custody, and shall retain the same for the purpose of evidence upon such trial, subject to the order of the court before which such offender may be required to appear, until his final discharge or conviction. Upon the conviction of such offender, the animals, implements, or other property, shall be adjudged by the court to be forfeited. In the event of the acquittal or final discharge, without conviction, of such offender, said court shall, on demand, direct the delivery of the property so held in custody to the owner thereof.

238. Overdriving, torturing and injuring animals—Failing to provide proper sustenance.

SEC. 6. A person who overdrives, overloads, tortures or cruelly beats or unjustifiably injures, maims, mutilates or kills any animal, and whether belonging to himself or to another, or deprives any animal of necessary sustenance, food or drink, or neglects or refuses to furnish it such sustenance or drink, or causes, procures or permits any animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed, or to be deprived of necessary food or drink, or who wilfully sets on foot, instigates, engages in, or in any way furthers an act of cruelty to any animal, or any act tending to produce such cruelty, is guilty of a misdemeanor.

Nothing herein contained shall be construed to prohibit or interfere with any properly conducted scientific experiments or investigations, which experiments shall be performed only under the authority of the faculty of some regularly incorporated medical college or university of this state.

239. Abandonment of disabled animal.

SEC. 7. A person being the owner or possessor, or having charge or custody of a maimed, diseased, disabled or infirm animal, who abandons such animal or leaves it to die in a public street, road or public place, or who allows it to lie in a public street, road or public place more than three hours after he receives notice that it is left disabled, is guilty of a misdemeanor. Any agent or officer of any society for the prevention of cruelty to animals, or of any society duly incorporated for that purpose, or any police officer, may lawfully destroy or cause to be destroyed any animal found abandoned and not properly cared for, appearing, in the judgment of two reputable citizens called by him to view the same in his presence, to be glandered, injured or diseased past recovery for any useful purpose; or after such agent or officer has obtained in writing from the owner of such animal his consent to such destruction. When any person arrested is, at the time of such arrest, in charge of any animal or of any vehicle drawn by or containing any animal, any agent or officer of said society or societies or any police officer may take charge of such animal and of such vehicle and its contents and deposit the same in a safe place of custody, or deliver the same into the possession of the police or sheriff of the county or place wherein such arrest was made, who shall thereupon assume the custody thereof; and all necessary expenses incurred in taking charge of such property shall be a charge thereon.

240. Failure to provide proper food and drink to impounded animal.

SEC. 8. A person who, having impounded or confined any animal, refuses or neglects to supply to such animal during its confinement a sufficient supply of good and wholesome air, food, shelter and water, is guilty of a misdemeanor. In case any animal shall be at any time impounded as aforesaid, and shall continue to be without necessary food and water for more than twelve successive hours, it shall be lawful for any person from time to time, and as often as it shall be necessary, to enter into and upon any pound in which any such animal shall be so confined and to supply it with necessary food and water, so long as it shall remain so confined; such person shall not be liable to any action for such entry, and the reasonable cost of such food and water may be collected by him of the owner of such animal, and the said animal shall not be exempt from levy and sale upon execution issued upon a judgment therefor.

241. Selling or offering to sell or exposing diseased animal.

SEC. 9. A person who wilfully sells or offers to sell, uses, exposes, or causes or permits to be sold, offered for sale, used or exposed, any horse or other animal having the disease known as glanders or farcy, or other contagious or infectious disease dangerous to the life or health of human beings, or animals, or which is diseased past recovery, or who refuses upon demand to deprive of life an animal affected with any such disease, is guilty of a misdemeanor.

242. Selling disabled horses.

SEC. 10. It shall be unlawful for any person to sell any horse which, by reason of disease, could not be worked in this state without violating the law against cruelty to animals.

243. Poisoning or attempting to poison animals.

SEC. 11. A person who unjustifiably administers any poisonous or noxious drug or substance to a horse, mule or domestic cattle, or unjustifiably exposes any such drug or substance with intent that the same shall be taken by a horse, mule or by domestic cattle, whether such horse, mule or domestic cattle be the property of himself or another, is guilty of a felony. A person who unjustifiably administers any poisonous or noxious drug or substance to any animal other than a horse, mule or domestic cattle, or unjustifiably exposes any such drug or substance with intent that the same shall be taken by an animal other than a horse, mule or domestic cattle, whether such animal be the property of himself or another, is guilty of a misdemeanor; *provided*, that nothing in this act shall be construed so as to prevent the destruction of noxious animals.

244. Throwing substance injurious to animals in public place.

SEC. 12. A person who wilfully throws, drops or places, or causes to be thrown, dropped or placed upon any road, highway, street or public place, any glass, nails, pieces of metal, or other substance which might wound, disable or injure any animal, is guilty of a misdemeanor.

245. Keeping milch cows in unhealthy places and feeding them with food producing unwholesome milk.

SEC. 13. A person who keeps a cow or any animal for the production of milk, in a crowded or unhealthy place, or in a diseased condition, or feeds such cow or animal upon any food that produces impure or unwholesome milk, is guilty of a misdemeanor.

246. Transporting animals for more than twenty-eight consecutive hours without unloading.

SEC. 14. A railway corporation, or an owner, agent, consignee, or person in charge of any horses, sheep, cattle or swine, in the course of or for transportation, who confines, or causes or suffers the same to be confined, in cars for a longer period than twenty-eight consecutive hours, without unloading for rest, water and feeding during five consecutive hours, unless prevented by storm or inevitable accident, is guilty of a misdemeanor. In estimating such confinement, the time during which the animals have been confined without rest on connecting roads from which they are received, must be computed; *provided*, the time of confinement prescribed in this act may be extended to thirty-six hours upon the written request of the owner or the person in custody of a particular shipment of live stock, which written request shall be separate and apart from any printed bill of lading, or other railroad form, which request for extension of time shall be made to the conductor of train, agent, or other authorized agent of the railroad company over which said stock is being transported.

247. Running horses on highway.

SEC. 15. A person driving any vehicle upon any plank road, turn-pike or public highway, who unjustifiably runs the horses drawing the same, or causes or permits them to run, is guilty of a misdemeanor.

248. Carrying animal in cruel manner.

SEC. 16. A person who carries or causes to be carried in or upon any

vessel or vehicle or otherwise any animal in a cruel or inhuman manner, or so as to produce torture, is guilty of a misdemeanor.

249. Certain sections repealed.

SEC. 17. Sections numbered 482 and 550 of that certain act entitled "An act concerning crimes and punishments and repealing certain acts relating thereto," approved March 17, 1911, being sections numbered 6747 and 6815, respectively, of the Revised Laws of Nevada, 1912, are hereby repealed.

**LAWS RELATING TO THE ASSESSMENT, TAXATION AND
LICENSING FOR REVENUE OF LIVE STOCK**

Sections 250 - 288

An Act in relation to public revenues, creating the Nevada tax commission and the state board of equalization, defining their powers and duties, and matters relating thereto, and repealing all acts and parts of acts in conflict herewith.

Approved March 23, 1917, 328

[Sections 1 and 2, dealing with the creation and organization of the Commission, omitted.]

250. Powers specified.

SEC. 3. Said Nevada tax commission, hereinafter and heretofore referred to as "said commission," is hereby empowered:

First—To confer with, advise and direct assessors, sheriffs, as ex officio collectors of licenses, county boards of equalization, and all other county officers having to do with the preparation of the assessment roll or collection of taxes or other revenues as to their duties; to direct what proceeding, actions or prosecutions shall be instituted to support the law. Said commission may call upon the district attorney of any county or the attorney-general to institute and conduct such civil or criminal proceedings as may be demanded.

Second—To have the original power of appraisal or assessment of all property mentioned in section 5 of this act.

Third—To establish and prescribe the general and uniform rules and regulations governing the assessment of property by the assessors of the various counties, not in conflict with law; to prescribe the form and manner in which assessment rolls or tax lists shall be kept by assessors (and county commissioners shall supply books and blanks for the use of the assessors in such form), and also to prescribe the form of the statements of property owners in making returns of their property; and it is hereby made the duty of all county assessors to adopt and put in practice such rules and regulations and to use and adopt such form and manner of keeping such assessment rolls or tax lists, and to use and require such property owners to use, and the county commissioners shall furnish, the blank statements required by said commission in making their property returns.

Fourth—To require assessors, sheriffs, as ex officio collectors of licenses, and the clerks of the county boards of equalization, and all other county officers having to do with the preparation of the assessment roll or collection of taxes or other revenues, to furnish such information in relation to assessments, licenses, or the equalization of property valuations, and in such form as said commission may demand.

Fifth—To summon witnesses to appear and testify on any subject material to the determination of property valuations, licenses, or the net proceeds of mines, but no property owner and no officer, director, superintendent, manager, or agent of any company or corporation, whose property is wholly in one county, shall be required to appear, without his consent, at a place other than the county-seat or at the nearest town to his place of residence or the principal place of business of such company or corporation. Such summons may be served by personal service by any member of said commission, or by the sheriff of the county, and who shall certify to such service without compensation therefor. Any member of said commission may administer oaths to witnesses.

Sixth—To make diligent investigation with reference to any class or kind of property believed to be escaping just taxation; and in pursuance whereof, said commission, or any commissioner thereof, may examine the books and accounts of any person, copartnership, or corporation doing business in the state, when such examination is deemed necessary to a proper determination of the valuation of any property subject to taxation, or the determination of any licenses for the conduct of any business, or the determination of the net proceeds of any mine.

Seventh—To require boards of county commissioners to submit a budget estimate of the county expenses for the current year in such detail and form as may be required by the commission; to require boards of county commissioners to increase or decrease the county tax rate of their respective counties to produce the net revenue estimated as necessary for the conduct of such county government, as appears from such budget; to require county boards of education and district school trustees and all school officers having control over any school expenditures in any district in which a special tax is to be levied during the current year to submit a budget estimate of the expenses for which such tax is levied in such detail and form as may be required by the commission. To require cities, municipalities and towns and the governing boards thereof to submit budget estimates of the expenses for the government of such city, municipality or town for the current year, in such form and detail as may be required by the commission, and to require the governing boards of any municipality, city or town to increase or decrease the tax rate therein to produce the net revenue estimates for the conduct of such municipality, city or town in said budget.

Eighth—The commission shall have, in addition to the specific powers enumerated, the power to exercise general supervision and control over the entire revenue system of the state.

Ninth—The commission shall have the power to require county assessors, county boards of equalization, any county auditor or county treasurer, to place upon the roll any property found to be escaping taxation.

Tenth—The commission shall have the power to authorize the secretary to hold hearings or make investigations, and upon any such hearing the secretary shall have the authority to examine books, compel the attendance of witnesses, administer oaths and conduct investigations.

The enumeration of the foregoing powers shall not be considered as excluding the exercise of any needful and proper power and authority of said commission.

251. Office at Carson City—Sessions—What legal notice.

SEC. 4. Said commission shall keep its office at Carson City, and shall be in general session and open for the transaction of business the usual hours and days in which public offices are kept open. There shall annually be held at Carson City two regular sessions of said commission, namely, one beginning on the second Monday in January of each year at 9 o'clock a. m., and continuing from day to day until the business is completed, at which valuations shall be established by said commission on the several kinds and classes of property mentioned in section 5 of this act; and one regular session shall be held annually beginning on the first day of October, or the first legal day thereafter, at the same hour, and continuing from day to day until the business is completed, at which said commission shall equalize property valuations in the state as provided in section 7 of this act, exclusive of live stock. The publication in the statutes of the foregoing time, place, and purposes of such regular session shall be deemed sufficient notice thereof to all concerned, but said commission, if it so elects, may cause published notices of such regular sessions to be made in the press, or may notify parties in interest by letter or otherwise. All sessions shall be public and all parties shall have the right to appear, to be heard in person or by their agents or attorneys, or to submit evidence in documentary form. The publication once a week, for two consecutive weeks, of notice of a special session, in some newspaper of general circulation in the county in which such special session is to be held, five days' personal service on, or registered mailed notice to, the person, firm, or corporation affected, stating the time, place, objects and purposes of such special session, shall be deemed sufficient notice thereof to all concerned. Special sessions may be held at such times and places and for such purposes as said commission may declare.

252. Assess live stock, railroads, franchises, etc.

SEC. 5. At the regular session of said commission held on the second Monday of January of each year, said commission shall assess all live stock throughout the state, accepting the valuation per head for the year 1917, using the valuation theretofore established by the state board of equalization at its regular session held in August, 1916, and thereafter using the valuation per head established by the preceding session of the state board of equalization for the then current year, as provided for in section 6 of this act, and shall establish the valuation on any property of an interstate or intercounty nature, and which shall in any event include: The property of all interstate or intercounty railroads, sleeping-car, private car line, street railway, traction, telegraph, water, telephone, and electric light and power companies, together with the franchises, and the property and franchises of all

express companies operating on any common carrier in this state, and which foregoing, exclusive of live stock, shall be assessed as follows: Said commission shall establish and fix the valuation of the franchise, and all physical property used directly in the operation of any such business of any such company in this state, as a collective unit; and if operating in more than one county, on establishing such unit valuation for the collective property, said commission shall then proceed to determine the total aggregate mileage operated within the state and within the several counties thereof, and so apportion the same upon a mile-unit valuation basis, and the number of miles so apportioned to any county shall be subject to assessment in that county according to the mile-unit valuation so established by said commission. The word "company" shall be construed to mean and include any person or persons, company, corporation, or association engaged in the business described. In case of the omission by said commission to establish a valuation for assessment purposes upon any property mentioned in this section, it shall be the duty of the assessors of any counties wherein such property is situated to assess the same. All other property shall be assessed by the county assessors. On or before the first Monday in June it shall be the duty of the said commission to transmit to the several assessors the assessed valuation found by it on such classes of property as are enumerated in this section, together with the apportionment of each county of such assessment. The several county assessors shall enter on the roll all such assessments transmitted to them by the Nevada tax commission.

253. State board of equalization.

SEC. 6. Beginning on the third Monday of August the said commission shall, together with the county assessors of the several counties of this state, sit in Carson City as a state board of equalization. The chairman of the said commission shall be the chairman of the said board of equalization, and each member of said commission and each of the county assessors shall have a vote upon said board. The secretary of the Nevada tax commission shall act as the secretary of the state board of equalization. The actual necessary expenses of the county assessors in attending the meeting of the said board of equalization shall be paid by the respective counties. At such meeting it shall be the duty of the state board of equalization to review the tax rolls of the various counties as corrected by county boards of equalization, and to raise or lower for the purpose of state equalization the valuations therein established by county assessors and county boards of equalization, on any class or piece of property in whole or in part in any county save and except those classes of property enumerated in section 5 of this act, exclusive of live stock, which shall be equalized by the said state board; and in equalizing the assessment of said property it shall be the duty of said state board of equalization to so raise or lower such valuation as to produce an aggregate assessment of all property within the state (including the property enumerated in section 5 of this act) sufficient when the state tax levy is applied thereto to produce the revenues required from taxation as shown in the budget of estimated state expenses provided for in section 8 of this act: *provided, however*, that if said state board of equalization shall fail to perform the duties enumerated in this section, the Nevada tax com-

mission may make such equalization as will be necessary. Said board of equalization shall complete their labors on or before the thirtieth day of September, and any person whose assessment valuation has been raised by said state board of equalization may complain to the Nevada tax commission on or before the third Monday in October in said year, and said tax commission may correct or remedy any inequality or error so complained of. Showing on complaint may be made by letter or in person, and said commission may, in its discretion, require affidavits in support thereof. If any county assessor shall be unable to attend the meeting of the state board of equalization, the board of county commissioners may appoint a qualified person to act in his stead. At the meeting of the state board of equalization, as provided for in this section, in the year 1917, and annually thereafter, said state board of equalization shall fix the valuation for assessment purposes per head of all live stock in the state; and such valuation, however, shall be subject to equalization.

254. May regulate valuations, except live stock.

SEC. 7. At the regular session commencing on the first day of October, the Nevada tax commission for the purpose of state equalization may raise or lower any valuations theretofore established by it upon any class or piece of property, exclusive of live stock, enumerated in section 5 of this act, to conform with the equalization of assessments effected by the state board of equalization.

[Sections 8 to 11 inclusive, not dealing directly with the assessment and taxation of live stock, omitted.]

255. Assessment at full cash value.

SEC. 12. All property subject to taxation shall be assessed at its full cash value.

[Sections 13 to 21 inclusive, not dealing directly with the assessment and taxation of live stock, omitted.]

An Act defining and classifying transient live stock and providing for the assessment, collection, and distribution of taxes on the same, providing penalties for violation of its provisions, and repealing all acts and parts of acts in conflict herewith.

Approved March 26, 1915, 417

256. Transient live stock, how determined.

SECTION 1. For the purpose of taxation, as hereinafter provided, transient stock shall be deemed to be:

1. All stock brought into the state by any person or persons, other than bona-fide residents thereof, for the purpose of being grazed or fed; and

2. All stock owned by residents of the state and driven or removed from one county to another for the purpose of being grazed or fed.

257. Certificate required to be filed upon bringing of live stock into any county—Form.

SEC. 2. It shall be the duty of every person or persons within ten days after bringing transient live stock into any county of the state for the purpose of being grazed or fed for any length of time, to set out

in a certificate signed by such person or persons, or their agents, the number of live stock with the marks and brands on the same, and immediately file said certificate with the county clerk of the county in which said live stock shall be first brought, which certificate shall be substantially in the following form :

State of Nevada, }
County of..... } ss.

I,....., of....., hereby certify that on the..... day of....., 19....., I brought into the county of....., from the State of....., head of....., branded on the....., and marked as follows :

Dated this..... day of....., 19.....

Signed by.....

258. Duty of county clerk upon receiving certificate.

SEC. 3. It shall be the duty of the county clerk, upon said certificate being filed, to keep an index of the same in his office, and if the assessment rolls are in his possession or in the possession of the county treasurer, he shall, as clerk of the county, enter an abstract of such certificate upon the assessment roll for the current year; otherwise he shall deliver to the county assessor a certified copy of such certificate, and the county assessor shall enter an abstract of such certificate upon the assessment roll for the year.

259. Bond or cash deposit required.

SEC. 4. Every person or persons, bringing transient live stock into any county of the state, for the purpose of being grazed or fed for any length of time, shall be required by the assessor of the county where certificate is filed, as provided in the two preceding sections, to also file a good and sufficient bond (which bond must be approved by the assessor) in double the sum the taxes would amount to on such live stock figured at the rate and average valuation within the county effective during the last preceding regular taxing year; *provided*, such person or persons may deposit with the assessor, taking his receipt therefor, cash in like amount in lieu of bond herein provided for. Such bond or cash shall immediately be deposited by the assessor with the county treasurer, who shall give his receipt therefor. If a bond be given, such bond shall remain in full force and effect for a period of eighteen months from date thereof as a guarantee that the provisions of sections 5 and 6 of this act shall be fully complied with; thereafter such bond shall automatically become null and void without action or surrender, unless a suit at law has been instituted to enforce the provisions of said sections 5 and 6 of this act; in which event such bond shall remain in full force and effect until a final adjudication of the suit at law by a court of competent jurisdiction, and the issue of an order from said court. Said order may be for the release of the bond or the holding it liable for taxes and costs in full or in part. If a cash deposit be made, such cash shall be retained intact by the county treasurer in a separate fund, and unapportioned until such time as the taxes for that current year shall become due, when the treasurer shall apply such portion of the cash deposit to the payment thereof as may be required, and retain the balance intact in a separate fund and

unapportioned for a period of eighteen months from the date upon which original deposit was made as a guarantee that the provisions of sections 5 and 6 of this act shall be fully complied with. At the expiration of such period of eighteen months, in the event no suit at law has been instituted to enforce the provisions of sections 5 and 6 of this act, the amount remaining in the cash deposit fund shall be returned by the treasurer on the personal demand of the person or persons originally making the deposit. If suit at law has been instituted to enforce the provisions of said sections 5 and 6 of this act, the amount remaining in the cash deposit unapportioned shall be retained by the treasurer until the final adjudication of the suit at law by a court of competent jurisdiction and the issue of an order of said court. Said order may be for the release in whole or in part of the amount remaining in the cash deposit unapportioned, or the holding it liable for taxes and costs in full or in part.

260. Liability when removed to another county.

SEC. 5. The person or persons bringing transient live stock into any county of this state to which this act is applicable shall pay the taxes for the full calendar year on such live stock in the county where certificate is filed in accordance with section 2 of this act; *provided*, if after the filing of such certificate all or any part of the live stock covered thereby is removed to another county or other counties for any of the remaining portion of the calendar year, where the tax rate or tax rates are higher than in the county where certificate is filed, then, in such event, the bond or excess cash deposit required by the preceding section shall become liable for the amount of extra tax which would accrue by reason of such higher rate or rates, computed on the length of time the live stock shall have remained in such county or counties; *provided*, such extra tax shall become due and payable between the first and fifteenth day of January of the next succeeding calendar year; *provided further*, that if live stock coming under the provisions of this act is removed to any county or counties where the tax rates are lower than the rates in the county where original certificate is filed, then, in that event, no refund shall be allowed by reason of such lower rates.

261. Procedure.

SEC. 6. In the event of removal from the county where original certificate is filed to a county or counties where higher tax rates obtain in accordance with the provisions of the preceding section, it shall be the duty of the assessor or assessors of such county or counties to make demand upon the person or persons owning or having charge of such live stock, between the first and fifteenth day of January of the next succeeding calendar year, for the amount of such extra tax, if such person or persons are then known and reasonably accessible. Immediate payment of such extra tax shall release the bond filed or cash deposit made, in accordance with the provisions of section 4 of this act, to the amount of such payment; *provided*, that if for any reason the assessor is unable to collect such extra tax between the first and fifteenth day of January, or if the person or persons owning or having in charge such live stock are not reasonably accessible, he shall immediately after the fifteenth day of January certify all the facts in detail to the district attorney. The district attorney shall within ten days

thereafter institute legal proceedings against the person or persons owning or having in charge such live stock on whose behalf bond was filed or deposit made, as provided in section 4 of this act, making a party thereto the treasurer of the county where bond was filed or deposit made, and the bondsmen (if any). For the purpose of any such proceeding the treasurer of the county where bond was filed or deposit made shall be considered the agent of the owner, and service upon such treasurer shall be equivalent to service upon the owner. Such bond or deposit shall be liable for the proper amount of extra tax and all costs of action, and no part thereof shall be released without an order of court.

262 Not to apply to certain residents.

SEC. 7. The provisions of this act relating to the filing of a bond or making of a cash deposit shall not apply to owners of sufficient real estate within the State of Nevada to insure the payment of said taxes.

263. County assessor to furnish owner with certificate—Form of certificate.

SEC. 8. It shall be the duty of the county assessor in each county, at the time of assessing any transient stock, to furnish the owner of said transient stock or his agent with a certificate and such copies thereof as the owner or his agent may require, showing the time, place, number, and description of the animals assessed; *provided*, residents and other persons not owning sufficient real estate within the state to secure the payment of said taxes shall have complied with all of the necessary provisions of this act before they shall be entitled to such certificate. Such certificate shall be substantially in the following form:

State of Nevada, }
County of..... } ss.

I,....., do hereby certify that I am the assessor of
..... County, State of Nevada; that I have this day
assessed for the year 19..... head of..... branded on
the..... and marked as follows:.....
the property of....., a resident of.....
County, State of.....

Dated this..... day of....., 19.....

By....., Deputy., Assessor.

264. Certificate and statement to be filed.

SEC. 9. Whenever the owner of any transient live stock or his agent shall drive or remove such live stock into another county for grazing or feeding purposes, such owner or his agent shall file with the county clerk of such county a copy of the certificate set forth in the preceding section, together with a statement from said owner or his agent showing the date when they will probably leave. Such certificate and statement must be filed in each county into which such live stock are driven or removed.

265. Assessor to make full assessment.

SEC. 10. If the assessment in the county where first made is not in full, then the assessor of such other county in which such transient stock may be ranging is authorized to assess such stock to the number

omitted in the previous assessment, and such taxes on the number so assessed shall be paid in the county where such last assessment is made.

266. Applies to all live stock.

SEC. 11. The provisions of this act shall apply in cases of all transient live stock running at large or otherwise, whether in charge of a herder or not, and the taxes thereon may be collected at any time during the calendar year; and the fact that such live stock may have been assessed, and the taxes thereon for the same year paid in some other state or territory, shall not exempt it from assessment and taxation in this state; *provided*, that nothing herein contained shall be so construed as to prevent the free passage of such live stock through this state for commercial purposes, or to deny to the citizens of each state all the privileges and immunities of citizens of the several states.

267. Tax to be equalized, when.

SEC. 12. When the property described in this act shall have been assessed as herein provided and the taxes thereon collected as prescribed herein, upon complaint in writing by the owner, his agent, or any person aggrieved (which complaint shall be made within ten days after the collection of said taxes, and shall be filed with any state board or commission authorized by law to equalize assessment values, or with the board of county commissioners, if there be no such state board or commission), that the assessment was too high or too low, it shall be the duty of such state board or commission or board of county commissioners at its next regular session after the filing of such complaint to equalize the same, and the proceedings shall be the same as in other cases of equalization.

268. County commissioners to commence suit, when—Defendant in the action.

SEC. 13. It shall be the duty of the county commissioners of the county in which such live stock shall be herded or grazed without having first complied with the provisions of this act, upon receiving satisfactory information of such fact, to institute civil action in the name of the county against the person so herding or grazing such live stock, or his agent, for the proper amount of taxes due and all costs of action; and the institution or determination of such suit shall not in any wise act as a bar to the enforcement of any other penalties or forfeitures herein provided for.

269. Penalty for moving stock with intent to move out of state—Misdemeanor.

SEC. 14. If any person having the care or custody of such live stock shall, pending an action instituted as provided in the last section, drive or move said live stock out of the county with intent to move the same out of the state, or with the intent to evade the payment of the forfeiture hereinbefore named, upon affidavit to that effect being made and filed in an action being brought to recover said forfeiture or tax herein provided, writs of attachment may issue as in civil actions, and the proceedings therein shall be as in other cases, except that no undertaking on attachment shall be required; *provided*, the district attorney or other interested party may make such affidavit on information and belief. In addition to the foregoing, any person so driving or moving

such live stock shall be guilty of a misdemeanor and be punished by a fine of not less than ten nor more than three hundred dollars, or by imprisonment in the county jail for not exceeding six months, or by both such fine and imprisonment, for each and every offense.

270. Failure to file certificate a misdemeanor.

SEC. 15. Any person named in section 2 of this act, or his agent, who shall bring any live stock into any county of this state for grazing or feeding purposes, and shall herd or feed or graze the same in any county of the state without filing said certificate as required herein, and without paying the amount of money or giving the bond as hereinbefore provided, shall be guilty of a misdemeanor and be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, and shall further forfeit and pay the sum of forty cents for each and every head of cattle thereof, and fifteen cents for each and every head of sheep, for the use of said county, which said forfeit shall be collected by a civil action in the name of the county in which said live stock are, or were, so herded, grazed or fed.

271. Further punishment for violation of this act—Duty of assessors.

SEC. 16. Any person or his agent bringing live stock from one county in this state into another county for grazing purposes without filing the statement and certificate as provided in section 9 of this act, within ten days after he has crossed the county line, shall be guilty of a misdemeanor and be punished by a fine of not less than ten dollars nor more than one hundred dollars, or imprisonment in the county jail not to exceed six months; and in addition thereto said live stock shall not be exempt from taxation in the county from which they are taken. Any assessor of any county may, when he finds live stock belonging outside his county ranging within his county lines, enumerate such stock and render to the county clerk of the county where the stock belong, or the county where they were first certified to as herein required, a certificate setting forth the time that such stock entered and the time such stock left his county. A certificate so rendered shall be of the same force and effect as though made by an agent of the owner of the stock.

272. Punishment for failure of officers to perform duties.

SEC. 17. Any county officer or member of the board of county commissioners or board of equalization, who shall fail to perform the duties prescribed in this act, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars.

273. Construction of the word "person" used in this act.

SEC. 18. Within the meaning of this act the word "person" shall be construed to mean and include corporations, whether domestic or foreign, joint-stock companies, firms, or other associations associated together and doing business.

274. Repealing section.

SEC. 19. An act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 13, 1895; an act entitled "An act defining and classifying transient stock and

providing for the assessment, collection, and distribution of taxes on the same, and providing penalties for violation of its provisions," approved March 9, 1903; and all other acts and parts of acts in conflict herewith, are hereby repealed.

An Act to regulate the herding or grazing of the live stock of certain nonresidents and, of certain corporations upon unenclosed lands in the State of Nevada, and fixing a penalty for any violation of any provision of this act.

Approved April 1, 1919, at 4:40 p. m., 402

275. Nonresident may procure license.

SECTION 1. It shall be unlawful for any person or for any corporation who or which does not have his or its principal home ranch and livestock headquarters in the State of Nevada, except as herein provided, to herd or graze, or cause to be herded or grazed, upon any unenclosed lands in the State of Nevada, any sheep or bovine cattle without having first obtained from the sheriff of a county in which such herding or grazing, or some portion thereof is done, a valid license authorizing such herding and grazing in the State of Nevada. Such license shall be issued by said sheriff to and in the name of such person or corporation upon compliance by him or it with the provisions of section 2 of this act and shall be valid only for the calendar year in which it is dated; *provided*, that any person or any corporation which does not have its principal home ranch and livestock headquarters in the State of Nevada, owning in fee simple land in the State of Nevada, shall be exempt from any license or the payment of any license for five (5) head of sheep for each acre so owned and three (3) head of bovine cattle for each acre so owned. *As amended, Stats. 1919, 389.*

276. Conditions precedent to issuing.

SEC. 2. As conditions precedent to the issuance of said license, the applicant therefor shall:

1. File with said sheriff an affidavit which shall explicitly and truly state the following facts:

(a) If the applicant is a nonresident person, his name and place of residence; or, if the applicant is a corporation, its name, the state and date of its incorporation, its principal place of business, and the names and addresses of its officers.

(b) The location of his or its principal home ranch and livestock headquarters.

(c) The number of acres of land owned in fee simple in the State of Nevada, together with a description thereof.

2. Pay to said sheriff the sum of fifty cents a head for each of the sheep and the sum of two dollars a head for each of the bovine cattle proposed to be herded or grazed in the State of Nevada, after deducting the number of sheep and bovine cattle as exempt from payment of said tax. *As amended, Stats. 1919, 390.*

277. No larger number allowed than named.

SEC. 3. No such person or corporation shall herd, graze, or cause to be herded or grazed, upon any unenclosed land in any county in

Nevada, any greater number of live stock than that for which he or it has previously obtained such license.

278. Sheriff to retain percentage.

SEC. 4. The sheriff collecting such license moneys shall be allowed to retain as his individual compensation and in addition to his salary or other fees, six per centum of the said license moneys by him collected and shall quarterly pay the remainder of such moneys to the county road fund.

279. Penalty for violation.

SEC. 5. Any person or persons violating any provisions of this act shall be deemed guilty of a misdemeanor, and if any such corporation shall herd, graze, or cause to be herded or grazed, any live stock in violation of any provision of this act it shall be fined in any sum not less than one thousand dollars or more than ten thousand dollars, and shall be prohibited from herding, grazing, or causing to be herded or grazed, any live stock in the State of Nevada until such fine is paid.

An Act to provide revenue for the support of the government of the State of Nevada and to repeal all acts and parts of acts in conflict herewith.

Approved March 22, 1915, 236

[Secs. 1 to 15, inclusive, relating to other kinds of licenses, omitted.]

280. Citizen stock owner exempt to certain number.

SEC. 16. Every citizen of the State of Nevada, who may be engaged in or who may be hereafter engaged in the business of owning, raising, grazing, herding, or pasturing sheep or cattle as owner of said sheep or cattle, shall be exempt from the payment of the license hereinafter provided for, to the number of one thousand (1,000) head of sheep or five hundred (500) cattle, or five hundred cattle and sheep. Subject to the above exemption, every person or citizen of the State of Nevada who may be engaged in or who may hereinafter be engaged in the business of owning, raising, grazing, herding, or pasturing cattle or sheep as either owner, lessee or manager of said cattle or sheep in any county in the State of Nevada must annually procure a license therefor from the sheriff as collector of licenses of the said county and make payment therefor as follows, in advance, for each band, flock or bunch of sheep or herd of cattle as follows: Thirty-five cents (35c) per head for each sheep and one dollar (\$1) on each head of cattle; *provided*, that the provisions of this section shall not apply to any person, persons, firm, company, association, or corporation who owns one or more acres of lands in fee simple in the State of Nevada, for each five (5) sheep or three (3) head of cattle so owned, raised, grazed, or pastured; *and provided further*, that the lessee of lands shall not be deemed or taken as the owner and holder of lands within the meaning of this section; *and provided further*, that nothing in this section shall be construed to require the procurement of more than one license for the same sheep or cattle in the State of Nevada during the same calendar year. *As amended, Stats. 1919, 400.*

281. Grazing license must first be procured.

SEC. 17. Every person who shall engage in the business of raising, grazing, herding, or pasturing of any sheep, as either owner, lessee, or manager thereof, within any county of the State of Nevada without having first procured a license therefor, as prescribed by the preceding section, shall be guilty of a misdemeanor.

**282. Duties of sheriff as to grazing license—Statement under oath—
Sheriff to direct suit—District attorney to prosecute.**

SEC. 18. The sheriff, as collector of licenses, of each county of the State of Nevada, shall make diligent inquiry and examination concerning all persons in his county liable to the procurement of sheep-grazing licenses under the provisions of this act, and it shall be his duty to require each such person to make a statement under oath or affirmation in writing over signature (which oath or affirmation shall be immediately filed by the sheriff with the county auditor) of the number of sheep then or about to be owned by him or them or about to be in his possession or under his control as lessee or manager thereof within such county. Thereupon such person shall procure such license from such sheriff, as collector of licenses, according to the class to which he shall be shown by the number of such sheep to belong; and in all cases wherein an underestimate of the number of sheep is made by the person procuring such license, the person making such underestimate shall be required to pay a double license for the next year. Such license when procured shall authorize the party procuring the same within the county wherein the same is procured, but in no other county, to transact business as specified in such license, and if any person required by the provisions of this act to procure a sheep-grazing license shall fail, neglect, or refuse to procure such license in the manner herein provided, or shall engage in, or attempt to engage, in the sheep business contrary hereto without procuring such license therefor, the sheriff, as collector of licenses, shall direct the commencement of, and the district or prosecuting attorney of the county shall immediately commence, an action in the name of the State of Nevada as plaintiff against such person for the recovery of the license and all damages according to the class specified herein to which such person shall be proceeding to belong.

283. County auditors to prepare grazing licenses.

SEC. 19. The county auditors of the several counties of this state shall prepare and have printed suitable blank sheep-grazing licenses. Such licenses shall be in book form, each book to contain ten originals and ten duplicates consecutively numbered, with carbon sheets between; the auditor shall deliver such license books to the sheriff as required; *provided*, such deliveries shall result in the sheriff having no more than two of such books in his possession at any one time. The sheriff shall receipt to the auditor for all sheep-grazing license blanks received.

284. Fee of sheriff.

SEC. 20. The sheriff, as collector of licenses, shall demand and collect from the person procuring a sheep-grazing license a fee of two dollars for each such license sold by him, in addition to the amount paid for such license.

285. Sheriff to pay over to treasurer—To receive 20 per cent—Auditor to check sheriff.

SEC. 21. All moneys collected for sheep-grazing licenses, less twenty per cent (which may be retained by the sheriff as his commission for collecting the same), shall on or before the tenth day of each month be paid by the sheriff, as license collector, to the county treasurer of the county wherein such licenses are collected, and shall be by him placed to the credit of the general fund of such county. It shall be the duty of the county auditor, between the tenth and twentieth day of each month, to check the sheriff's returns to the treasurer for the preceding month, together with the unused licenses and the duplicate and canceled licenses remaining in his possession. If found correct, the auditor shall give the sheriff his clearance, which shall detail the sheep-grazing license transactions during the preceding month.

[Remainder of act, not relating to sheep licenses, omitted.]

An Act requiring traveling merchants to procure a license, fixing the amount thereof, providing penalties for violation hereof, and repealing all acts and parts of acts in conflict herewith.

Approved March 22, 1915, 252

286. Licensing traveling merchants and peddlers—Nevada products excepted.

SECTION 1. The term "traveling merchant," wherever used in this act, shall be taken and deemed to mean all merchants entering into business at any place within the state for a period of less than six months, all persons vending from freight-cars standing on sidetracks, all hawkers, venders, peddlers and traveling manufactures except such as are engaged in the disposal of products of the soil produced in Nevada, poultry, eggs and live stock, and honey produced in Nevada and dairy products produced in Nevada, which shall be exempt from the provisions of this act.

287. License from sheriff.

SEC. 2. All traveling merchants, prior to commencing business, shall take out a license from the sheriff of the county wherein they desire to transact such business, and shall pay therefor the sum of one hundred dollars for each month or fraction thereof. Such license shall authorize the purchaser thereof to transact the business of traveling merchant within the county designated for the time mentioned therein.

288. Licenses, in what form issued.

SEC. 3. The sheriff shall issue such licenses, as ex officio collector of licenses, on the same form used for issuance of licenses to theaters and amusements, and all the duties of the sheriff and other county officers in connection therewith shall be the same as the duties in connection with theater and amusement licenses. The penalties and procedure in case of violation hereof shall be the same as the penalties and procedure in case of violation of theater and amusement licenses.

NOTE—See also:

An Act relating to cattle, horses, and hogs, etc. Sec. 4.

An Act regulating the sheep industry in the State of Nevada, etc. Sec. 27.

LAWS RELATING TO LIENS ON LIVE STOCK

Sections 289 - 294

An Act to secure liens to ranchmen and other persons.

Approved February 14, 1866, 65

289. Lien of ranch owner—Misdemeanor to remove stock without payment of keep.

SEC. 3. Any person or persons who shall take and drive away any such animal or animals, while in the possession of such ranchman or person boarding the same, without having first paid all reasonable charges due thereon, and against the consent of such ranchman or other person, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, in any court having jurisdiction of the same, shall be fined in any sum not exceeding the value of the stock so taken or driven away, nor less than fifty dollars; *provided*, that nothing herein contained shall be so construed as to release the owner or owners of said property from the amount of any lien there may be due thereon, under and by virtue of this act.

An Act to regulate the disposition of live stock in settlement of pasturage or feed bills.

Approved March 22, 1913, 258

290. Feed bill to be lien on live stock.

SECTION 1. Whenever the bill or claim for pasturage or feed for live stock shall in the judgment of the person or persons furnishing such pasturage or feed equal the value of the live stock pastured or fed and the owner or owners of such live stock shall have failed or neglected to pay for such pasturage or feed, the person or persons furnishing the pasturage or feed may have such live stock appraised by three competent and disinterested freeholders, and if such appraisement does not exceed by ten per cent the amount of the unpaid pasturage or feed bill, upon the filing of such appraisement with the county recorder of the county in which such live stock is situated, the title to such live stock shall vest in the person or persons furnishing such pasturage or feed, and he or they shall have the right to sell, subject to the right of redemption hereinafter mentioned, the said live stock.

291. Owner may redeem animals.

SEC. 2. At any time within one year after the filing of such appraisement the original owner or owners of such live stock shall have the right to redeem such live stock from the possessor thereof by paying or tending as payment to such possessor the amount of such appraisement together with twenty-five per cent of such appraisement additional as damages, but should such payment or tender not be made by

such original owner within one year after the filing of such appraisement, the title of the possessor of such live stock shall become absolute.

An Act to provide for lien on mare and offspring for service of stallion, and to make it a misdemeanor to sell such mare or offspring without the written consent of the party holding the lien.

Approved March 22, 1913, 236

292. Concerning service of stallions.

SECTION 1. The owner or keeper of any stallion may advertise the terms upon which he will let such stallion to service, by publication thereof in some newspaper of the county where such stallion is kept, for sixty days during the season of each year, or by printed handbills conspicuously posted during such period in four or more public places in said county, including the place where such stallion is kept; and the publication or posting, as aforesaid, of the terms of such service shall impart notice thereof to the owner of any mare served by such stallion during the season; and in all actions and controversies in respect to the foal, the owner of such mare so served shall be deemed to have accepted and assented to said terms when so advertised and published or posted as provided herein.

293. Lien on mare and foal, when.

SEC. 2. When the said terms of such service by any stallion, published or posted as provided in section 1 of this act, shall provide that the mare and foal will be held for the money due for the service of such stallion, then in that event the owner or keeper of such stallion shall have a lien for such sum on the mare from the time of service and on the offspring of the mare served, for the period of one year after the birth of such foal, which said lien shall be preferred to any prior lien, encumbrance or mortgage whatever; and the publication or posting, as aforesaid, of the terms of such service shall be deemed notice to any third party of the existence of such lien.

294. Misdemeanor, when.

SEC. 3. Any person who shall sell, convey or dispose of any animal upon which there exists a lien, as created in section 2 of this act, without the written consent of the party holding such lien, and without informing the person to whom the same is sold or conveyed that said lien exists, or who shall injure or destroy such animal, or aid or abet the same, for the purpose of defrauding the lienor, or who shall remove or conceal, or aid or abet in removing or concealing such animal, with intent to hinder, delay or defraud such lienor, shall be deemed guilty of a misdemeanor.

NOTE—See also:

An Act relating to cattle, horses and hogs and regulating such stock, etc. Sec. 11.

An Act regulating the sheep industry in the State of Nevada, etc. Secs. 26, 34, 38, 50.

An Act providing for interstate and intrastate quarantine with respect to domestic animals and other live stock, etc. Sec. 67.

An Act providing for the better prevention, control and extermination of infectious, contagious and destructive diseases, etc. Sec. 76.

An Act concerning estray animals. Sec. 217.

- An Act relating to trespass of swine, sheep and goats. Sec. 139.
An Act to prevent the trespassing of animals upon private property. Sec. 141.
An Act to prevent trespass upon real estate by live stock, etc. Sec. 144.
An Act to prohibit certain live stock from running at large upon the streets, etc. Sec. 156.
An Act to make unlawful the running at large of live stock upon the enclosed public roads or highways of certain counties, etc. Sec. 160.
An Act to authorize any board of county commissioners to pass ordinances relating to certain animals running at large. Sec. 162.
An Act authorizing and empowering boards of county commissioners to pass ordinances to prohibit horses, cattle, swine, goats or sheep from running at large, etc. Sec. 167.
An Act concerning unlawful stock. Secs. 168-179.
An Act regulating the transportation of live stock between points situated in this state. Sec. 306.
An Act providing for the inspection of horses about to be driven or shipped out of the state, etc. Sec. 302.

LAWS RELATING TO THE SHIPMENT AND SALE OF LIVE STOCK AND DRESSED CARCASSES

Sections 295 - 304

An Act providing for the inspection of horses about to be driven or shipped out of the state; creating the sheriffs of the several counties inspectors of horses, and prescribing their duties as such; prohibiting the transportation by railroad companies of horses without inspection; and providing penalties for the violation of the provisions of this act.

Approved March 29, 1907, 431

295. Inspection of horses required before removal from state.

SECTION 1. It shall be the duty of every person or persons, firm, association or corporation, shipping or driving any horses out of this state to hold the same at some convenient place for inspection as hereinafter provided by this act, and it shall be unlawful for any person or persons, firm, association or corporation to ship, drive or in any manner remove beyond the boundaries of this state any herd, band or carload of horses until the same shall have been duly inspected as hereinafter provided for.

296. Idem—Railroad companies held liable.

SEC. 2. It shall be unlawful for any railroad company to receive for transportation beyond the boundaries of this state any herd, band or carload of horses until the same shall have been duly inspected as hereinafter provided by this act, and until such railroad company shall have been furnished with a certificate by a duly authorized inspector of the county in which the shipment is to be made showing that the brands upon such horses have been duly inspected as required by this act, and any railroad company, or any officer, agent or servant of any railroad company who shall violate the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall

be fined not less than one hundred dollars and not more than five thousand dollars, in the discretion of the court.

297. Sheriffs to be inspectors—Report.

SEC. 3. The sheriff of each county shall be an inspector of horses under the provisions of this act and it is hereby made the duty of the sheriff of each county to perform the duties hereinafter provided as such livestock inspector, and he shall keep a record of all inspections made, giving the name of the owner and shipper of any horses, the several brands, the number of the car and the destination of the shipment. He shall file with the board of county commissioners of his county, on the first day of each month, a complete report of all inspections made during the month, and shall also furnish a copy of such report to the official newspaper of the county, and such report shall be published at the expense of the county, and the publisher of such paper shall forward a copy of his paper free of charge, containing such report, to each of the sheriffs of the state.

298. Sheriff to give clearance certificate—Expenses.

SEC. 4. Every person or persons, firm, association or corporation, their or either of their agents, servants or employees having charge of any horses destined for transportation by rail or to be driven beyond the limits of this state, shall make application to the sheriff of the county in which such stock is located, or to his duly authorized agent to inspect the brand or brands of any such horses, stating in such application the time and place, when and where said horses will be ready for inspection; and it shall be the duty of such sheriff or his deputy so notified to attend at the time and place designated in such application and inspect said horses, make the necessary record, and give the necessary certificate required by the provisions of this act, free of charge, to the owner of said horses or to said railroad company or corporation: *provided, however,* that the actual and necessary expenses of the sheriff or his deputy, in making such inspection, shall be paid by the county: *provided further,* that, in all cases of horses transported out of this state by rail, the place of inspection shall be at some stock yard near the proposed point of shipment of said horses from this state; *and provided further,* that if the owner or person in charge of said horses shall cause any unreasonable delay or loss of time to such sheriff or his deputy so notified to attend, such owner or person in charge of any such horses shall pay the expenses and salary of such inspector during such delay or loss of time not to exceed five dollars per day.

299. Sheriff to inspect all brands on horses—Report.

SEC. 5. It shall be the duty of the sheriff or his deputy, who shall be notified as hereinafter provided, to inspect the brands of all horses transported or driven out of this state, and make a sworn report to the board of county commissioners of the result of such inspection at least once in every thirty days. It shall also be the duty of such sheriff or his deputy to furnish any person, firm, association or corporation or either of their agents, servants or employees, having horses destined for transportation by rail or to be driven beyond the limits of this state, with a certificate to the effect that he has duly inspected the

brands of all such horses therein enumerated, and that he has a full and complete record of such horses.

300. False certificate; punishment.

SEC. 6. Any sheriff or his deputy who shall knowingly make any false certificate under the provisions of this act, and who shall knowingly swear falsely as to the truth of any report made by him to the board of county commissioners, or who shall accept any bribe or compensation for the performance or failure to perform the duties prescribed by this act, shall upon conviction thereof be guilty of a felony, and be fined in a sum not exceeding one thousand dollars or imprisonment in the state prison not exceeding five years, or both, at the discretion of the court.

301. Avoiding inspection; punishment.

SEC. 7. Any person or persons, who shall violate any of sections 1, 4, and 5 of this act, or who shall remove any band, herd, or carload of horses beyond the limits of this state without having the same inspected as required by the provisions of this act, shall be deemed guilty of a felony, and upon conviction thereof shall be fined in any sum not less than five hundred dollars and not more than five thousand, or be imprisoned in the state prison of this state for a period not less than one year nor more than three years, or both such fine and imprisonment. But nothing in this act contained shall be construed as in any manner affecting the laws now in force respecting the larceny of live stock.

302. Inspection fee—Lien—Sale of unclaimed horses—Redemption—Proof.

SEC. 8. A fee of twenty-five cents per head shall be charged on all horses inspected under the provisions of this act, and such fee or charge shall be a lien upon the horses inspected until the same shall be paid. Said fees shall be in full compensation for all services rendered in making such inspection; *provided, however*, that said sheriffs shall have power and are hereby authorized to sell all unclaimed horses which shall come into their possession while in the discharge of their duties as such inspectors in the manner and form now prescribed for the advertising and sale of personal property under writ of execution and shall pay the proceeds of such sale, less the actual expenses of advertising, care and keeping of such unclaimed horses, into the county treasury to the credit of the general fund of the county; *provided, further*, that if ownership of such estrays shall be established to the satisfaction of the board of county commissioners of the county in which such animals are sold, within one year after the date of notice of sale of such unclaimed horses, it shall be the duty of the board of county commissioners to cause a county warrant to be issued against the general fund of the county in favor of the owner or owners of such unclaimed horses in the amount of the net proceeds derived from such sale. Proof of ownership shall be by affidavit of the owner or owners and at least one credible corroborative witness.

NOTE—This law and an Act relating to cattle, horses and hogs, etc. (Sec. 22), concern themselves only with the establishment of the ownership of the stock offered for shipment. In addition to this, the Federal Government, practically

all States, and foreign countries require certain examinations and certification as to the freedom from contagious or infectious diseases of stock to be shipped interstate and requiring that such inspections be made and health certificates issued by qualified veterinarians approved for that purpose by the U. S. Bureau of Animal Industry or the authorities of the State of origin, or both. These requirements change from time to time and vary somewhat according to the destination of shipment. Information as to the requirements in effect can be obtained from the agents of transportation companies or, in case of doubt, from the State Quarantine Officer, University of Nevada, Reno, Nevada.

303. Horse meat—Misdemeanor to sell without informing.

SEC. 259. It shall be unlawful for any person to sell the meat of any equine animal, without informing the purchaser thereof, at the time of such sale, that said meat is the meat of an equine animal. Any person violating the provisions of this section shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by fine in a sum not exceeding fifty dollars, or be imprisoned in the county jail not more than twenty-five days, or both.

The foregoing is Section 6524, Revised Laws of Nevada 1912.

304. Horse meat—Seller must exhibit hide.

SEC. 260. It shall be unlawful for any person peddling the meat of any equine animal, who is not the keeper of any shop or meat market, to sell such meat without having in his possession then and there, and upon request exhibiting the hide of such animal containing the brand and other marks thereon. Any person violating the provisions of this section shall be guilty of a misdemeanor, and on conviction thereof shall be punished as prescribed in the next preceding section.

The foregoing is Section 6525, Revised Laws of Nevada 1912.

NOTE—See also:

An Act relating to and requiring the rerecording of brands upon live stock. Sec. 206.

An Act relating to cattle, horses and hogs. Secs. 13, 22.

An Act regulating the sheep industry in the State of Nevada, etc. Secs. 36, 37.

An Act for the prevention of cruelty to animals, etc. Sec. 246.

Laws relating to railroads in connection with live stock. Secs. 305-312.

Laws relating to liens on live stock. Secs. 289-294.

NOTE—The laws and regulations of the State of Nevada and the Federal Government dealing with the interstate and intrastate shipment and sale of dressed meats, meat food products, milk, cream, butter, ice-cream and other dairy products which are based on the purity and sanitary condition of same are not included in this compilation. For information concerning them communicate with the Commissioner, Division of Food and Drugs Control, University of Nevada, Reno, Nevada.

LAWS RELATING TO RAILROADS IN CONNECTION WITH LIVE STOCK

Sections 305 - 316

An Act regulating the transportation of live stock between points situated in this state.

Approved March 16, 1903, 177

305. Unlawful to confine stock longer than 36 hours.

SECTION 1. No railroad company engaged in the transportation of cattle, sheep, swine, or other animals between points situated within this state, shall confine the same in cars or other vehicles of any description, for a longer period than thirty-six consecutive hours, without unloading the same for rest, water and feeding, for a period of at least five consecutive hours, unless prevented from so unloading by storm or other accidental causes, it being the intent of this section to prohibit their continuous confinement beyond the period of thirty-six hours except upon contingencies hereinbefore stated.

NOTE—See also:

An Act for the prevention of cruelty to animals, etc. Sec. 246.

Federal Act affecting interstate shipments limits time to twenty-eight hours (43 Stat. L. 607).

306. Animals to be watered and fed—Lien for expense.

SEC. 2. Animals so unloaded shall be properly fed and watered during such rest by the owner or person having the custody thereof, or in case of his default in so doing, then by the railroad company transporting the same, at the expense of the owner or person in custody thereof; and such company shall, in such case, have a lien upon such animals for food, care and custody furnished, and shall not be liable for any detention of such animals.

307. Penalty for violation of act.

SEC. 3. Any company, owner or custodian of such animals who knowingly and willingly fails to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment in the county jail for a period of not less than sixty days, nor more than six months, or by both such fine and imprisonment.

An Act requiring the giving of notice of live stock killed or injured by locomotive or cars, and providing a penalty for failure to give notice of live stock so killed or injured, and repealing an act entitled "An act requiring railways to give public notice of live stock killed or injured by their locomotives or cars: providing a penalty for failing or neglecting so to do," approved March 24, 1911.

Approved March 24, 1913, 296

308. Killing of animals by railroads to be reported by employees.

SECTION 1. Every conductor, engineer, section foreman, or other employee of any corporation, receiver, association, partnership, or person operating a railroad in this state who has personal knowledge of the injury or killing of any live stock of any description by the running of any engine or engines, car or cars over or against any such live stock, shall immediately report the same by notice in writing to the general superintendent or division superintendent of the railroad for which he is working, unless he is aware that such notice has already been given by some employee of such corporation to such general superintendent or division superintendent.

309. Penalty for employee neglecting to report.

SEC. 2. Every conductor, engineer, section foreman, or other employee of any corporation, receiver, association, partnership, or person operating a railroad in this state that shall fail or neglect to comply with the provisions of the preceding section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100), or be imprisoned in the county jail not less than ten (10) days nor more than thirty (30) days, or be punished by both such fine and imprisonment.

310. Railroads to post notice describing live stock killed—Duplicate notice filed with county clerk.

SEC. 3. Every person, association, or corporation operating a railroad within this state, or receiver of an association or corporation so operating, that shall injure or kill any live stock of any description by the running of any engine or engines, car or cars, over or against any such live stock, shall within five days thereafter post for a period of at least thirty days at the first railroad station in each direction from the place of such injury or killing, a notice in writing in some conspicuous place on the outside of such stations, and within ten days after such injury or killing of any such live stock file a duplicate of such notice with the county clerk of the county in which the stock is injured or killed, which notice shall contain the number and kind of animals so injured or killed, and a full description of each, with the time and place, as near as may be, of such injury or killing, and shall be dated and signed by some officer or agent of such person, association or corporation operating such railroad.

311. Penalties for railroads.

SEC. 4. Every corporation, receiver, association, or person which shall fail, neglect or refuse to comply with the provisions of the preceding section shall be deemed guilty of a misdemeanor, and upon

conviction thereof shall be fined in a sum not less than twenty-five dollars (\$25) nor more than two hundred and fifty dollars (\$250).

312. Previous act repealed.

SEC. 5. An act entitled "An act requiring railways to give public notice of live stock killed or injured by their locomotives or cars, providing a penalty for failing or neglecting so to do," approved March 24, 1911, is hereby repealed.

An Act requiring railroads to construct livestock guards on their rights of way.

Approved March 24, 1917, 399

313. Railroads must erect guards at crossings.

SECTION 1. Every person, lessee, receiver, firm, copartnership, or corporation owning, leasing, or operating any railroad in, or through any part of, the State of Nevada, shall, wherever a public road or highway crosses the fenced-in right of way of such railroad, construct such barriers, guards or other devices as will effectually prevent the entrance from such public road or highway on to the said right of way of cattle, horses, mules and burros. Such barriers, guards, or other devices shall not be placed across, or in any wise obstruct, such public road or highway.

314. Penalty for neglect.

SEC. 2. If any person, lessee, receiver, firm, copartnership or corporation owning, leasing, or operating any railroad in, or through any part of, the State of Nevada, shall fail to construct such barriers, guards, or other devices specified in section one of this act, and any cattle, horses, mules, or burros shall be killed, maimed, or injured on part of such unprotected right of way, the person, lessee, receiver, firm, copartnership or corporation so offending shall pay to the owner, or agent of the owner, of any such cattle, horses, mules or burros the full market value of such animals as it was before such injury occurred.

An Act to provide for the maintenance of fences along railroads and for damages for the killing of live stock.

Approved March 24, 1917, 357

315. Railroads to fence track securely.

SECTION 1. Railroad corporations must make and maintain a good and sufficient fence on both sides of their track and right of way. In case they do not make and maintain such fence, if their engines or cars shall kill or maim any cattle or other domestic animals upon their line of road, they must pay to the owner of such cattle or other domestic animals a fair market price for the same, unless it occurred through the neglect or fault of the owner of the animal so killed or maimed.

316. Does not apply in cities.

SEC. 2. Nothing in this act shall require any railroad company to fence its right of way through any town or city.

**LAWS RELATING TO THE POLLUTION OF WATER
SUPPLIES AND THE EXPOSURE OF POISON-
OUS WASTE PRODUCTS**

Sections 317 - 327

An Act for the protection of agricultural lands.

Approved December 19, 1862, 107

317. Obstruction and pollution of streams.

SECTION 1. It shall be and is hereby declared unlawful for any person or persons being the owner or owners of or being in possession of any sawmill, or mills used for the making of lumber, or the owner or owners of any slaughter-house, brewery, or tannery, to injure or obstruct the natural flow of water in any river, creek, or other stream, or to permit any sawdust, chips, shavings, slabs, offal, refuse, tanbark, or other offensive matter, to enter therein, so as to damage or corrupt the purity of the water of such stream or streams.

318. Action for damages.

SEC. 2. Any city or county government, or any persons or persons, being the owner or owners of or in the possession of any agricultural lands, who may be injured by reason of the violation on the part of any person or persons of the provisions contained in the preceding section, shall have the right to commence and maintain an action against such person or persons for any damage sustained, in such manner as may be provided by law.

319. Penalty.

SEC. 3. Any person who shall wilfully and knowingly violate the provisions of this act, shall be guilty of a misdemeanor, and may be punished by a fine not exceeding five hundred dollars.

An Act authorizing boards of county commissioners of any county in this state to institute and maintain suit against persons, firms, companies, associations or corporations depositing sawdust in any river or stream of this state, and providing for the levy of a tax to pay the expenses of the same.

Approved March 5, 1887, 125

320. County commissioners may institute suit to prevent pollution of streams.

SECTION 1. The board of county commissioners of any county in this state are hereby authorized and empowered to institute and maintain suit in any court of competent jurisdiction against any persons, firm, association or corporation depositing sawdust in any river or stream, the waters of which run partly or wholly in this state.

321. Tax may be levied for enforcement of this act.

SEC. 2. The boards of county commissioners of any and all counties of this state are hereby authorized and empowered to levy annually such tax as in their discretion may be necessary to carry out the provisions of this act.

An Act to prevent pollution or contamination of the waters of lakes, rivers and streams in the State of Nevada, and prescribing penalties for the violation thereof, and repealing certain acts in conflict herewith.

Approved March 27, 1917, 412

322. Pollution of public waters prohibited.

SECTION 1. Any person or persons, firm, company, corporation or association, city or town who shall deposit, or who shall permit or allow any person or persons in their employ or under their control, management or direction to deposit in any of the waters of the lakes, rivers, streams, and ditches in or running into or through the State of Nevada, or cause to be washed or infiltrated into any of said waters, or place or deposit where the same may be washed or infiltrated into any of said waters, any sawdust, pulp, oils, rubbish, filth, or poisonous or deleterious substance or substances which affects the health of persons, fish or live stock, or renders said waters unpalatable or distasteful, shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of competent jurisdiction shall be fined in a sum not less than fifty (\$50) dollars, nor more than five hundred (\$500) dollars, exclusive of court costs.

323. Repeal of certain act.

SEC. 2. An act entitled "An act to prevent pollution or contamination of the waters of the lakes, rivers, streams and ditches in the State of Nevada, prescribing penalties and making an appropriation to carry out the provisions of this act," approved March 20, 1903, and all acts amendatory or supplemental thereto, are hereby repealed.

An Act to compel the fencing or safeguarding of poisonous solutions and compounds, providing damages for injury resulting from failure to comply and matters relating thereto.

Approved March 17, 1919, 74

324. Ponds of poisonous liquids to be fenced.

SECTION 1. Any person who shall maintain, dump, turn or flow or cause to be maintained, turned or flowed, any solution, compound, waste, water, or anything of a liquid nature poisonous or injurious to or which might or does kill live stock, into an open ditch, cut, flume, pond, reservoir or any place unless such ditch, cut, flume, pond reservoir or place is inclosed by fence or otherwise safeguarded sufficiently to prevent live stock gaining access thereto shall be liable for all damages caused by or the result of said act or acts.

325. Penalties.

SEC. 2. Any person violating section 1 of this act or who fails to properly inclose and safeguard any solution, compound, waste, water,

or anything of a liquid nature injurious to or which might or does kill live stock, maintained, dumped or flowed by him, shall be liable to the owner of live stock affected for all damages, the result of his failure to inclose and safeguard the said solution, compound, waste, water, or anything of a liquid nature, together with costs of suit and counsel fees in a reasonable amount, to be fixed by the court trying an action therefor.

326. Words defined.

SEC. 3. The words "person" and "persons," as used in this act, mean and shall be construed to mean and include person, persons, individuals, firm, company, copartnership, an association, a corporation, and the plurals of each.

327. In effect June 1, 1919.

SEC. 4. This act shall be in full force and effect on and after June 1, 1919.

**LAWS RELATING TO THE PRACTICE OF VETERINARY
MEDICINE, SURGERY, AND DENTISTRY**

Sections 328 - 336

An Act regulating the practice of veterinary medicine, surgery, and dentistry in the State of Nevada; creating the state board of veterinary medical examiners, and defining their duties; providing for the issuing of licenses to practice veterinary medicine, surgery, and dentistry; defining the practice of veterinary medicine, surgery, and dentistry; defining certain misdemeanors; and certain other matters relating thereto.

Approved February 21, 1919, 25

328. Must procure license.

SECTION 1. It shall be unlawful for any person to practice veterinary medicine, surgery or dentistry at any place within the State of Nevada after July 1, 1919, without first obtaining a license so to do, as hereinafter provided.

329. Governor to appoint board.

SEC. 2. Within thirty days after the passage and approval of this act it shall be the duty of the governor to appoint a state board consisting of three members, which shall be known as the state board of veterinary medical examiners, hereinafter called the board. The members of the board first appointed shall hold office, one for two years, one for three years, and one for four years, as designated by the governor, after the date of their appointment; thereafter one member shall be appointed annually for the term of three years. In the event of a vacancy occurring in said board, or the absence of any member from the state for a period of six months without permission from the governor, the governor may appoint a person duly qualified under this act to fill the unexpired term.

330. Members to take oath.

SEC. 3. Each member of said board shall, before entering upon the duties of his office, take the constitutional oath of office, and shall, in addition, make oath that he is a graduate in veterinary medicine, and legally qualified, under the provisions of this act, to practice veterinary medicine, surgery and dentistry in the State of Nevada.

331. Meetings of board—Officers.

SEC. 4. The said board shall meet at Carson City at the call of the governor on the first Monday in May, 1919, and organize by electing from its members a president, vice-president, and secretary-treasurer to serve at the pleasure of the board and designating some convenient place within the state as the office of the board. The board shall hold regular meetings at their established office on the first Monday of May and November of each year. Special meetings of the board may be held at the call of the president whenever there is sufficient business to come before the board to warrant such action, at any place most convenient to the board. Two members shall constitute a quorum for the transaction of business.

332. Board to adopt rules — Licenses — Fee for license — License revoked, when.

SEC. 5. The board may, from time to time, adopt such rules as it deems necessary to carry into effect the provisions of this act. Said board may examine candidates for license to practice, either in writing or orally, or both, in order to determine their qualifications; and issue licenses based upon the results of such examination; or may license candidates upon the presentation of sufficient proof that they have been licensed elsewhere; *provided*, that the requirements where such license was issued are at least equal to those herein provided.

Any person who desires to secure the license above referred to shall make application in writing to the secretary of the board, accompanied by satisfactory proof that he is more than 21 years of age, of good moral character, has received a diploma conferring the degree of doctor of veterinary medicine, or its equivalent, from a veterinary school or college authorized by law to confer such degree, and is possessed of professional and educational qualifications at least equal to those required for a permanent appointment as a veterinary inspector in the bureau of animal industry, United States department of agriculture, before he may be considered as a candidate for such license. Applicants for license shall pay to the secretary the sum of ten dollars (\$10). If an applicant is denied a license, the fee shall not be returned to him. All persons who have engaged in the practice of veterinary surgery and medicine in the State of Nevada for a period of four years or more immediately prior to the passage of this act shall be exempt from taking the above examination and upon proof of such practice of veterinary surgery and medicine in the State of Nevada for a period of four years or more shall be granted a license for the practice of veterinary surgery and medicine within the State of Nevada, upon the payment to the secretary of such board of the sum of ten (\$10) dollars.

Any member of said board may administer oaths in all matters pertaining to the duties of said board, and the board shall have authority to take evidence as to any matter cognizable by it.

Any license issued by the board may be revoked by them upon satisfactory proof that the holder of said license is guilty of unprofessional conduct; gross immorality; habitual drunkenness; or is addicted to the use of habit-forming drugs after full and fair investigation of the charges preferred against the accused.

333. Practitioners must register.

SEC. 6. Every person who may be licensed to practice veterinary medicine, surgery, or dentistry within the State of Nevada shall, before beginning said practice, register his license with the clerk of the county in which he resides.

334. Treasurer to hold money—No compensation.

SEC. 7. All money received for licenses shall be held by the treasurer of the board subject to its order. Said money shall be used to meet the expenses of the board for stationery, books of record, blanks and other supplies and actual expenses of members of the board in attendance upon meetings. Members of the board shall serve without compensation, but shall receive their actual expenses in attendance upon meetings or in the transaction of other business of the board, in so far as the money received from licenses is sufficient therefor, but not otherwise. The payment of money from the funds of the board shall be made upon the written order of the president, countersigned by the secretary.

335. Practice of veterinary medicine defined.

SEC. 8. For the purposes of this act the practice of veterinary medicine, surgery or dentistry is defined as follows:

To open or maintain an office or hospital for consultation or the treatment or prevention of disease of domesticated animals by means of drugs, medicines, surgical or dental operations, the administration of sera, vaccines or other biological preparations for the treatment, prevention, or diagnosis of disease, or otherwise; or to announce to the public or any individual in any way a desire or readiness or willingness to perform any of the above-mentioned acts or to perform any of the aforesaid acts for the doing of which he receives or expects to receive any money, fee, salary or any consideration of value. The illegal use, in connection with his name, by any person giving veterinary advice or performing veterinary services without charge or the expectancy of compensation, directly or indirectly, therefor, of the words doctor, veterinarian, veterinary, veterinary surgeon, veterinary dentist, or the letters Dr., D.V.M., V.D.M., M.D.C., V.S., or any other letters, symbol or title, indicating that such person is graduated from some school or college which is authorized by law to confer such degree, shall be construed as constituting the practice of veterinary medicine, surgery or dentistry, within the meaning of this act. Nothing in this act shall be construed to apply to castrating, dehorning or vaccinating domesticated animals nor to the gratuitous treatment of diseased animals by friends or neighbors of the owner thereof, nor to any person treating diseased animals who does not in any way assume to practice as a veterinary surgeon; or to debar any veterinarian in the employ of the United States government or the State of Nevada from performing official duties necessary for the conduct of the business of the United States government or the State of Nevada upon which he is assigned;

or any veterinarian who shall be called into the state for consultation by a person licensed to practice under this act; or any veterinarian resident in an adjoining state, near the boundaries of this state, whose field for practice properly extends to points within this state, so long as the greater portion of his practice is in the state of his residence and he does not open or maintain an office or branch office within this state, and provided that he is licensed to practice veterinary medicine, surgery and dentistry in the state wherein he resides.

336. Penalty for violation.

SEC. 9. Any violation of the provisions of this act shall constitute a misdemeanor. It shall be the duty of the attorney-general of this state and of the district attorneys of the respective counties of this state to prosecute violators of this act when requested by the board so to do.

**MISCELLANEOUS LAWS RELATING TO THE LIVESTOCK
INDUSTRY**

Sections 337 - 344

337. Injury to property.

SEC. 488. Every person who shall wilfully and maliciously—

1. Cut down, destroy or injure any wood, timber, grain, grass or crop, standing or growing, or which has been cut down and is lying upon the lands of another, or of the state; or,

2. Cut down, girdle or otherwise injure a fruit, shade or ornamental tree standing on the land of another or of the state, or in any road or street; or,

3. Dig, take or carry away without lawful authority or consent, from any lot or land in any city or town, or from any lands included within the limits of a street or avenue in such city or town, any earth, soil or stone; or,

4. Enter without the consent of the owner or occupant, any orchard, garden, vineyard or yard, with intent to take, injure or destroy any thing there grown or growing; or,

5. Cut down, destroy or in any way injure any shrub, tree, vine or garden produce grown or growing within any orchard, garden, vineyard or yard, or any framework or erection therein; or,

6. Damage or deface any fence or building or part thereof, or throw any stone or other missile at any building or part thereof, thereby damaging the same in any way; or,

7. Destroy or damage, with intent to prevent or delay the use thereof, any engine, machine, tool or implement intended for use in trade or husbandry; or,

8. Untie, unfasten or liberate, without authority, the horse or team of another; or lead, ride or drive away, without authority, the horse, team, automobile or other vehicle of another from the place where left by the owner or person in charge thereof; or,

9. Kill, maim or disfigure any animal belonging to another, or expose any poisons or noxious substance with intent that it should be taken by such animal; or,

10. Intrude or place any hovel, shanty or building upon or within the limits of any lot or piece of land within any city or town, without the consent of the owner, or within the boundaries of any street, in such city or town; or,

11. Kill, wound or trap any animal or bird within the limits of any cemetery, park or pleasure ground, or remove therefrom or destroy the young of any such animal or the egg of any such bird; or,

12. Place upon or affix to any real property or any rock, tree, wall, fence or other structure thereupon, without the consent of the owner thereof, any word, character or device designed to advertise any article, business, profession, exhibition, matter or event; or,

13. Suffer any animal to go upon the enclosed right of way of any railway company, or leave open any gate or bars so that an animal might stray upon such right of way;

Shall be guilty of a misdemeanor.

The foregoing is Section 6753, Revised Laws of Nevada 1912.

338. Destruction of property—Trees—Posting bills.

SEC. 489. Any person who shall wilfully, unlawfully, or maliciously break, destroy, or injure the door or window of any dwelling-house, shop, store, or other house or building, or the door, window, grating, platform, wheels, or other part of any railroad car, or sever therefrom, or from any gate, fence or inclosure, any part thereof, or any material of which it is formed, or sever from the freehold any produce thereof, or anything attached thereto, or pull down, injure, or destroy any gate, post, railing, or fence, or any part thereof, or break, destroy, or injure, any steamer, or other sailing craft, or cut down, lap, girdle, otherwise injure or destroy any fruit or ornamental or shade tree, being the property of another, or who shall, without the consent of the owner, agent, or occupant of the premises or property herein mentioned, deface, disfigure, or cover up any fruit tree, or ornamental tree, fence, wall, house, shop, or building, the property of another, by pasting upon, or in any way fastening thereto, any printed bill, sign-board, show-poster, or other device whatsoever, or who shall, without a written permit from the board of county commissioners, in the county wherein such written permit may be issued, deface, disfigure, or cover up by pasting upon, or in any way fastening thereto, any printed bills, sign-board, show-poster, or other device whatsoever upon any public building, monument, gravestone, ornamental tree, or other object or property under the supervision and control of the board of commissioners of the respective counties of this state, or under the supervision and control of any municipal government, or of any association or society whatsoever, shall for each and every such offense be guilty of a misdemeanor.

The foregoing is Section 6754, Revised Laws of Nevada 1912.

339. Trespass upon land of another, warning.

SEC. 500. Every person who shall go upon the land of another with intent to vex or annoy the owner or occupant thereof, or to commit any unlawful act, or shall wilfully go or remain upon any land after having been warned by the owner or occupant thereof not to trespass thereon, shall be guilty of a misdemeanor.

Every owner or other occupant of any land shall be deemed to have given a sufficient warning against trespassing, within the meaning of

this section, who shall post in a conspicuous manner on each side thereof, upon or near the boundary, at intervals of not more than seven hundred feet, signs legibly printed or painted in the English language, warning persons not to trespass.

An entryman on land under the laws of the United States shall be an owner within the meaning of this section.

The foregoing is Section 6765, Revised Laws of Nevada 1912.

340. Hunting on inclosed ground, unlawful, when.

SEC. 501. It shall be unlawful for any person to shoot or discharge firearms or to hunt upon or within any inclosed grounds which are private property and where signs are displayed forbidding such hunting or shooting, without permission obtained from the owner, or person in the possession of such inclosed ground.

The foregoing is Section 6766, Revised Laws of Nevada 1912.

341. Idem—Misdemeanor—Penalty.

SEC. 502. Any person who shall violate any of the provisions of the next preceding section shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine in a sum not less than fifty dollars, nor more than two hundred dollars, for each and every offense, or by imprisonment in the county jail of the county in which said conviction is had, for any term not exceeding six months or both.

The foregoing is Section 6767, Revised Laws of Nevada 1912.

342. Destruction of signs or notices, unlawful.

SEC. 503. It shall be a misdemeanor for any person to maliciously tear down, mutilate or destroy any sign, sign-board, or other notice forbidding hunting, shooting or other trespass within an inclosure.

The foregoing is Section 6768, Revised Laws of Nevada 1912.

343. Penalty for not closing gates.

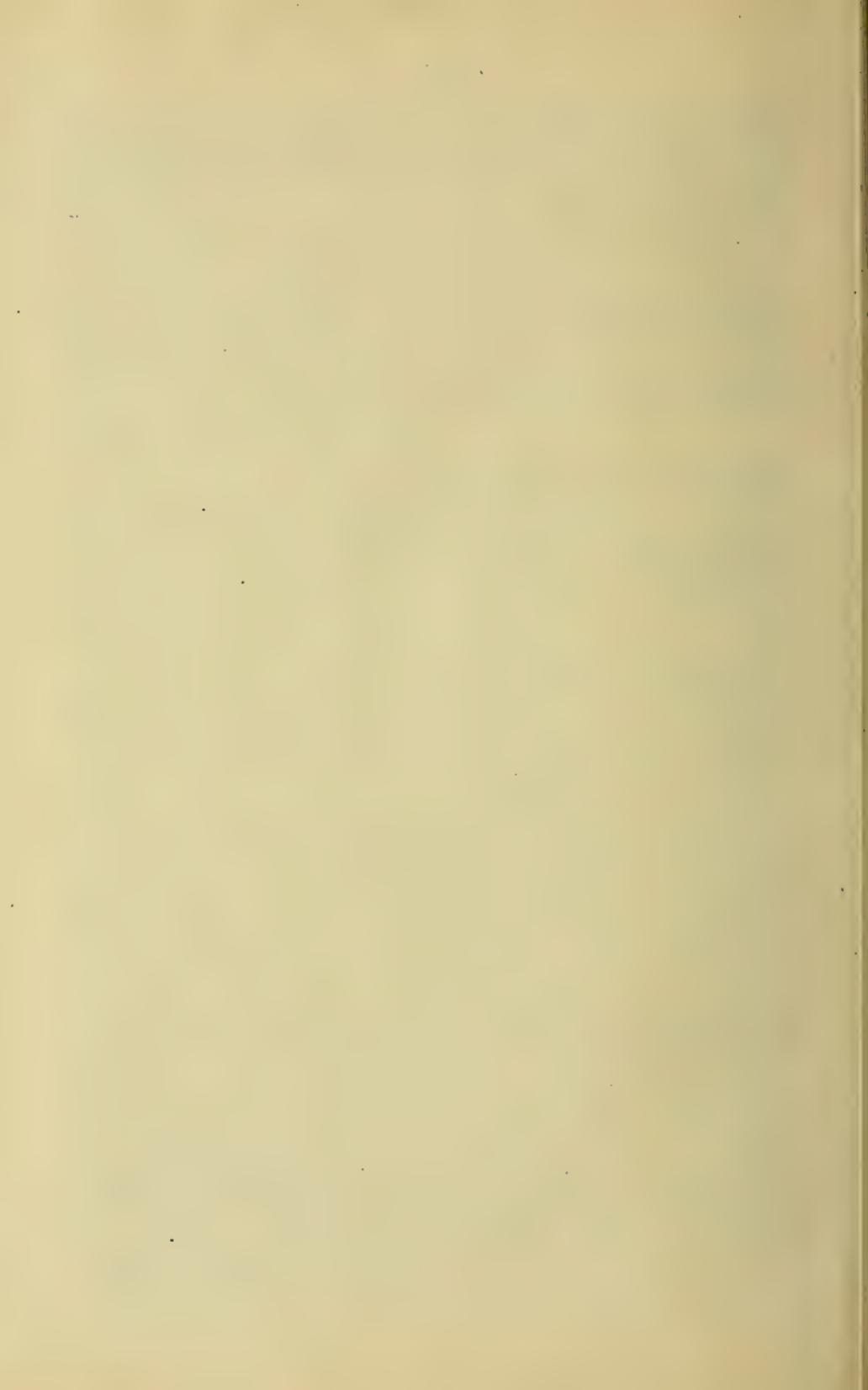
SEC. 504. Any person or persons opening and passing through gates or bars when said gates or bars are placed in fences inclosing fields, or in fences partly inclosing lands, and not shutting and fastening the same, shall be deemed guilty of a misdemeanor; *provided*, that the provisions of this section shall not apply to gates in towns and cities nor gates necessary in the approach to any building or works where the passing through or into fields or lands is not contemplated.

The foregoing is Section 6769, Revised Laws of Nevada 1912.

344. Offenses concerning animals ranging in two or more counties—Jurisdiction.

SEC. 64. When a public offense concerns any neat cattle, horse, mule or other animal running at large upon any range which extends into more than one county of this state, such offense may be prosecuted in either of said counties, and upon the trial of any such offense, proof that such animal is the property of the owner, or person occupying the said range, and was at the time the offense was committed running at large upon the range, shall be prima facie evidence that said offense was committed within the jurisdiction of the court.

The foregoing is Section 6914, Revised Laws of Nevada 1912.



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