

COUNTY COURT:
BOUNTIES:
PREDATORS:

Section 279.010 RSMo Cum. Supp. 1955 does not authorize or direct the county court to pay a bounty for wolves, coyotes and wildcats other than animals of the full blood.



September 26, 1956

Honorable W. Frazier Baker
Assistant Prosecuting Attorney
Callaway County
Fulton, Missouri

Dear Mr. Baker:

Reference is made to your request for an official opinion of this office, which request reads as follows:

"At the request of the County Court of Callaway County, we would like to be advised as to whether or not an animal containing 50 per cent or some lesser percentage of wolf blood be classified as a wolf within the meaning of Section 279.010 Revised Statutes of Missouri, 1949 as amended and whether or not wolf bounties shall be paid on any animal having less than 100 per cent wolf ancestry."

Section 279.010 RSMo Cum. Supp. 1955 provides as follows:

"The county court of any county in this state shall pay a bounty of fifteen dollars each for any grown coyote or wolf and two and one half dollars each for any coyote or wolf pup which may be killed in such county, also a bounty of five dollars for each grown wildcat, and three dollars for each wildcat kitten which may be killed in such county; provided, that each such bounty shall not be paid for any coyote, wolf, wildcat, the pups of coyotes or wolves or kittens of wildcats which may have been raised in captivity either within or without this state; provided further, that a coyote or wolf pup and a wildcat kitten shall be deemed such when under ten weeks old; provided, also, that it shall be unlawful to import into this state any such animals

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except for exhibition purposes and then only under permit as otherwise provided for by the statutes of this state."

Said section directs the county court to pay a bounty for coyotes, wolves and wildcats killed within the county. Said section or related sections do not undertake to define the animals specified, nor does said section specifically provide for the payment of a bounty on animals of less than full blood.

It is a familiar rule of statutory construction that unless words have a technical meaning or have acquired a peculiar meaning in law, they shall be taken in their plain or ordinary and usual sense. This rule is embodied in Section 1.090 of the Revised Statutes of Missouri. We know of no peculiar or technical definition of the term "wolf" and, therefore, are of the opinion that such term, as used in Section 279.010, was intended to mean animals of the full blood.

Of course, what would constitute an animal of the full blood would be a factual question to be determined by the county court in each particular case. This conclusion was reached in an opinion of this office to Olin B. Johnson, Prosecuting Attorney, Schuyler County, under date of April 29, 1954. A copy of said opinion is enclosed herewith.

CONCLUSION

Therefore, it is the opinion of this office that Section 279.010 does not authorize or direct the county court to pay a bounty for wolves, coyotes and wildcats other than animals of the full blood.

The foregoing opinion, which I hereby approve, was prepared by my Assistant, Donal D. Guffey.

Very truly yours,

John M. Dalton
Attorney General

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