



December 6, 1963

Honorable Ralph B. Nevins
Prosecuting Attorney
Hickory County
Hermitage, Missouri

Dear Mr. Nevins:

This is in response to your letter dated November 23, 1963, inquiring whether a Conservation Agent is authorized to inspect hunting permits under Section 252.060, RSMo 1959, and to arrest a person for refusal to exhibit his permit. It is indicated from your inquiry that the person arrested admitted having a hunting permit but refused to submit it to the agent for inspection.

In the case of State vs. Bennett, 288 S.W. 50, the Supreme Court held under the prior Fish and Game Law that by accepting a hunting permit the licensee subjected himself to the restrictions and limitations of the law and the regulations. The same reasoning should apply to the application of Section 252.060 as the Court applied to the inspection of game under the prior law. Moreover, printed on the back of each hunting and fishing permit are certain conditions agreed to by the licensee, to-wit: "To exhibit this permit for inspection * * * upon demand to any officer authorized to enforce the rules pertaining to wildlife." Therefore, if the person arrested had a hunting license and refused to submit the same to the agent upon demand, it would appear he could properly be charged with violations of Section 252.060, RSMo 1959.

We are also enclosing herewith for your information an opinion of this office dated December 18, 1942, to Emory C. Medlin.

Yours very truly,

THOMAS F. EAGLETON
Attorney General