

County Assessors and Deputies, Traveling Expenses of Deputy County Assessors, Traveling Expenses of. Traveling Expenses, of County Assessor and Deputies. Expenses, of County Assessor and Deputies in Traveling.

Under the provisions of Chapter 44, Laws of 1909, the total sum allowed for traveling expenses of the county assessor and his deputies in any one month must not exceed the sum of fifty dollars.

April 12, 1913.

Hon. Justin M. Smith,
County Attorney,
Bozeman, Montana.

Dear Sir:

I beg to acknowledge receipt of your communication under date the 12th instant, submitting for my opinion the question whether the county assessor and each of his deputies may each incur traveling expenses up to the sum of fifty dollars per month for each of them, and have same allowed and paid by the board of county commissioners. Chapter 44 of the Session Laws of 1909 provides:

“That the assessor and his deputies in each county in this state shall be paid the actual and necessary traveling expenses by them incurred, not to exceed fifty dollars in any one month during the month of March, April, May,” etc

You will observe that the above provision refers to the “traveling expenses by them incurred,” and apparently treats such expenses as a total sum. The following phrase, “not to exceed fifty dollars in any one month,” must likewise be understood to modify this total sum.

I am, therefore, of the opinion that the statute cannot be interpreted to allow fifty dollars to the assessor and fifty dollars to each of his deputies for traveling expenses per month without doing violence to the ordinary meaning of the language, and you are therefore advised that the total sum to be allowed to the assessor and his deputies in any one month for traveling expenses must not exceed the sum of \$50.

Very truly yours,

D. M. KELLY,
Attorney General.