

**Board of County Commissioners—Expenditure of Money to Employ Expert to Educate Dry Land Farmers.**

The Board of County Commissioners are without authority to make expenditures for the employment of an expert to educate dry land farmers, except upon and in pursuance of a memorandum of agreement between the Board of County Commissioners, County Farm Bureau and the Montana State College of Agriculture and Mechanic Arts, as provided in Chapter 13 of the Laws of 1919.

E. E. Collins, Esq.,  
County Attorney,  
Billings, Montana.

My dear Mr. Collins:

Your inquiry of September 23rd relating to the right of the County Commissioners to expend money in employing an expert to assist in educating dry land farmers in farming methods, has been received.

The only authority for the expenditure of county funds for any purpose similar to that indicated is found in Chapter 13 of the Laws of 1919, amending Chapter 54 of the Laws of 1915, which was an amendment of Chapter 109 of the Laws of 1913. This chapter reads as follows:

"The County Commissioners of any county in the State of Montana may appropriate money from the general funds of the county treasury, or from funds provided by special levy, which the said County Commissioners are hereby authorized to make at the same time as other levies for county purposes, for the purpose of carrying on Extension work in agriculture and home economics within the said county in cooperation with the Montana State College of Agriculture and Mechanic Arts and the United States Department of Agriculture. The amount of such appropriation in any county, its method of expenditure, the responsibility for the direction of the work, and the procedure of appointing agents, the compensation and conditions of service of such agents, shall be covered in memoranda of agreements between the County Commissioners, the County Farm Bureau and the Montana State College of Agriculture and Mechanic Arts."

Whether the work for which the expenditure is proposed is extension work such as to come within the provisions of the above Act, and thus meet the approval of the three bodies mentioned therein, is thus determined by those bodies in connection with the making of the memoranda of agreements referred to in the Act.

It is my opinion, therefore, that the expenditure in question can be made only under the authority of the foregoing Act, and that the County Commissioners are without authority to make the expenditure until the provisions of said Act have been complied with and under memoranda of agreements between the County Commissioners, the County Farm Bureau and the Montana State College of Agriculture and Mechanic Arts.

Very truly yours,

WELLINGTON D. RANKIN,  
Attorney General.