

County Commissioners—Power to Purchase Loose-Leaf Books.

If loose-leaf books cannot be purchased by the County Commissioners of a county at the prices referred to in Chapter 71 of the Laws of 1917, they may not be purchased at all.

P. M. Campbell, Esq.,
County Commissioner,
Stanford, Montana.

My dear Mr. Campbell:

You have inquired whether the term "blank books" used in Chapter 71 of the Laws of 1917, relating to prices for county supplies, includes loose-leaf blank books.

While I cannot see that the fact that the book is loose-leaf would remove it from the classification of a blank book, it is practically immaterial whether it is so regarded as far as the question of price

is concerned, for the paragraph following the list of prices given in said chapter prohibits payment of any higher price than those listed. It reads in part as follows:

“Any book not specified in the above list shall be charged at a pro rata rate * * *.

“All other blanks, blank books, stationery, election supplies, loose leaf forms and devices, and other printed forms required for the use of such counties shall be furnished and paid for not to exceed the rates herein provided for similar blanks or printing. * * *”

Inasmuch as this provision limits the price to be paid to the prices quoted in the Act, the County Commissioners are unauthorized to purchase supplies at prices greater than those specified, and if the loose-leaf books cannot be purchased within the prices provided in the Act, their purchase is prohibited.

Very truly yours,

WELLINGTON D. RANKIN,

Attorney General.