

Bounty, Effect of Change of Law.

Bounty is a creature of the legislature and may be allowed or repealed at any time, and claimants therefor must conform to the procedure prescribed by the law in existence at the time such claim is made.

Claims for bounty which do not conform to the requirements of the law in effect at the time made, can not allowed and approved by the board of examiners. The only relief such claimants can have is by special appropriation by the legislature.

Helena, Montana, May 2, 1905.

Charles N. Pray, Esq., County Attorney, Fort Benton, Montana.

Dear Sir:—The clerk of the board of examiners has referred to me letter of W. H. Duke, bounty inspector at Chinook, Montana, addressed to you, upon the subject of the bounty law, same having been referred to the clerk of the board of examiners by you. Mr. Duke enquires what a bounty inspector shall do with hides of coyotes and wolves that were killed prior to March 1, 1905. In reply to this question I will say, that he will have to look to the law for his guidance and follow it strictly to the letter. The law on the subject of bounty was changed by the legislative assembly and the new law became effective March 1, 1905, and any person desiring to obtain bounty from the state must conform strictly to the provisions of the law in order to secure the same. The bounty inspector has no discretion whatever in the matter, but must act solely in accordance with the law, upon presentation of the hides and the affidavit of killing made by the claimant, corroborated by an affidavit of a resident stock grower. Bounty is strictly a creature of the legislature and may be allowed or repealed, at any time, and a person to secure same must fully conform to the requirements of the law.

As to the second question asked, why all claims that are filed after March first in accordance with the requirements of the old law will have to be acted upon by the legislature, I will say in answer that they do not conform to the law in force at the time of perfecting such claims, and not being in conformity with the law, the board of examiners have no right or authority to approve them, and, therefore, the only relief such claimants can have is by special appropriation by the legislature for the payment of such claims.

Yours very truly,

ALBERT J. GALEN,

Attorney General.