

Stock Inspectors, Mileage.

Under the provisions of Section 2973, Political Code, stock inspectors are not entitled to collect mileage upon arrest of criminals by them.

Helena, Montana, Aug. 9th, 1905.

Roy E. Ayers, County Attorney, Lewistown, Montana.

Dear Sir:—In response to your telegraphic request for an opinion on the question as to whether stock inspectors are entitled to collect

mileage upon arrest of criminals by them, I respectfully call your attention to Section 2973 of the Political Code, which reads as follows: "The stock inspectors and detectives are under the exclusive control and direction of the board (of Stock Commissioners), and must be paid for their services such sums as may be agreed upon by the board, out of the fund hereinafter provided for, But in no case must they receive any mileage. I must therefore hold, that stock inspectors are not entitled to mileage upon arrest of criminals by them, unless "agreed upon by the board" as a part of their compensation for services, in which event it would be paid by the state out of the stock inspection and indemnity fund and not by the county.

Yours respectfully,

ALBERT J. GALEN,
Attorney General.