

**Board of County Commissioners, Authority to Raise Salary
of the County Clerk.**

It is not within the power of the Board of County Commis-

sioners to pay the County Clerk compensation in excess of that prescribed by law.

Helena, Mont., Nov 2, 1907.

Mr D. J. Andrews,
Chairman, Board of County Commissioners,
Missoula, Montana.

Dear Sir:—

I am in receipt of your favor of the 28th ult., asking opinion from this office as to whether or not it is within your province to allow the County Clerk additional compensation than that provided by law under the present classification of your county, because of the increased work and duties devolving upon him.

I regret very much that it is not within my province to so construe the law as to enable you to pay your County Clerk that which you believe adequate and just compensation for his services, but the law has fixed his salary in accordance with the classification of the county, and it is not within your province, nor mine, to in any way modify the same, no matter how pressing the necessity therefor may appear. The only way that this matter can be properly adjusted is by change of the law by the next legislative assembly. So far as we are concerned we must construe, apply and enforce the laws existing as we find them, even though there be resulting hardships and inequalities.

Yours very truly,

ALBERT J. GALEN,

Attorney General.