

County Officers, Pay for Extra Time.

A county official whose term of office begins on the first Monday in January is not entitled to any compensation for any part of the month prior to that time.

Helena, Mont., February 1, 1907.

Hon. J. J. Hindson.

Chairman, Board of County Commissioners,
Helena, Montana.

Dear Sir:—

I am in receipt of your telephonic communication today, submitting for the consideration of this office the following proposition:

“Whether or not the outgoing county officers are entitled to compensation for six days’ service rendered in the month of January, 1907, that being the date at which their term of office ended pursuant to law; and whether the incoming officers would be entitled to full pay for the month of January, 1906, or whether the six days should be, by the Board, deducted in payment of the new officers and allowed to the old officers?”

Under the provisions of section 4315, Political Code, the officers elected at the last general election entered upon the discharge of their duties on the first Monday in January, which this year fell on the 7th day of January. These new officers performed no official service during the first six days of the month and such service was performed by the old officers, hence the old officers are entitled to the compensation therefor and the first six days of the month should be deducted in computing the amount due the new officers for the month of January, 1907; that is, the new officers are only entitled to twenty-five days’ pay out of the thirty-one days in the month of January.

Very truly yours,

ALBERT J. GALEN,

Attorney General.