

Fees, of Justices. Justices, Fees of. Statutes, Construction of.

Section 3175, revised codes, does not amend paragraphs two and four of Section 3176, of said codes, but does amend and supersede paragraph three of said section 3176.

Helena, Mont., September 2, 1909.

Hon. George A. Herken,
County Attorney,
Forsyth, Montana.

Dear Sir:

I am in receipt of your letter of August 25th, asking for a construction of sections 3175 and 3176, revised codes, relating to fees of justices of the peace.

Section 3175 is the later enactment, and must govern in case of conflict. The original act does not purport to be an amendment of section 4642 of the old codes, but it does conflict with the provisions of that section. However, this conflict seems to apply only to the third paragraph of said section 3176, and we think you are correct in your conclusion that section 3175 does not apply to the first two paragraphs of section 3176, but that these two paragraphs, as well as the fourth

paragraph of section 3176, should now be followed, and that section 3175 should, in effect take the place of the third paragraph of section 3176.

Yours very truly,

ALBERT J. GALEN,

Attorney General.