

Judge, District Court, Salary of. District Judges, Term and Salary of. Salary, of District Judge. How Computed.

The salary of a district judge elected at the general election November, 1912, begins on the first Monday of January, 1913, and not on the first day of January.

March 27th, 1913.

Hon. William Keating,
State, Auditor,
Helena, Montana.

Dear Sir:

I am in receipt of your request for an opinion from this office upon this question:

"From what date does the salary of a district judge elected at the general election of November, 1912, begin, whether from the first day of January, 1913, or the first Monday of January, 1913?"

Sec. 292 R. C. fixes the salary of a district judge at \$4000 per annum. Section 6267 R. C. provides:

"The term of office of judges of the district court begins on the first Monday of January, next succeeding their election."

Sec. 6268 R. C. provides:

"The years during which a judge of a district court is to hold office are to be computed respectively from and including the first Monday of January of any one year, to and excluding the first Monday of January of the next succeeding year."

Under these sections, there does not seem to me to be any question but that the salary of a district judge elected at the general election of November, 1912, begins on the first Monday of January, 1913, and not upon the first day of January, 1913, and you are advised that in my opinion, your first quarterly payment of the salary of such judges should be computed from the first Monday of January, 1913.

Very truly yours,

D. M. KELLY,
Attorney General.