

Proposals, for Care of Sick, Etc. Advertisement for Proposals, Care of Sick, Etc. Secs. 2054 and 2055, Revised Codes, Construction of. Construction, of Secs. 2054 and 2055.

There being an apparent error in the act amending Secs. 2054 and 2055, Revised Codes, the board of county commissioners should authorize the publication of notice at the Sep-

tember meeting, and before adjournment continue the consideration of the letting of contract to a special meeting, or notice it for hearing at the December meeting.

November 15th, 1913.

Hon. Roy S. Stephenson,  
County Attorney,  
Dillon, Montana.

Dear Sir:

I am in receipt of your letter of the 13th instant, submitting the question:

"As to the proper construction and method of procedure to be followed under the provisions of Secs. 2054 and 2055 as amended of the Revised Codes."

It is very apparent that literal compliance with the provisions of these sections is wholly impossible, and the law does not require impossibilities. The word "September" as it appears in the amendment, was evidently intended to read "December," and under the law as it now exists, I would suggest as a method of procedure that the board at its regular September meeting authorize the publication of the notice, and that prior to the adjournment of that session the board make an order to the effect that the period of publication not having expired, the further consideration of the letting of the contract is continued until a special meeting to be held at some date, naming it, after the publication is complete. The board may then call such special meeting for that date and act upon the matter. Their action in noticing the matter for hearing at a certain time would simply be to give notice that the matter would be heard at that time, and permit anyone to file objections, or the board at its September session, instead of noticing the matter, for hearing at a special meeting, may notice it for hearing at its regular December meeting. These are only suggestions, but I know of no other way by which the board can even constructively give effect to both of these sections.

Yours very truly,

D. M. KELLY,  
Attorney General.