

**Wages, Statutory on County Roads—County Commissioners, Powers Of, to Fix Wages.**

The county commissioners have authority to fix the wages for labor and team hire upon the county roads.

March 5, 1920.

State Highway Commission,  
Helena, Montana.

Gentlemen:

I have your letter asking that I advise you regarding the statutory wage for labor and team hire on county work.

Section 6 of Chapter 3 of Chapter 172, Session Laws of 1917, provided that the rate of pay for road work should not exceed the rate of \$4.00 per day of eight hours for each person and \$6.00 per day of eight hours for man and team, the time taken by such person or team in going to and returning from the place of labor not being included within such period of eight hours.

However, said section was amended by Section 3 of Chapter 15, Session Laws Extraordinary Session of 1919, by striking out the specific amounts and simply providing that the board of county commissioners should fix the rates to be paid.

You are therefore advised that the wage is not fixed by any statute, but by the board of county commissioners of each county, such board having authority and power to fix the same at any rate or rates which they may deem necessary and proper.

Respectfully,

S. C. FORD,

Attorney General.