

**Mileage—County Commissioners — Compensation — Expenses—Per Diem—Appraisal.**

County commissioners are not entitled to compensation or expenses in viewing or inspecting property in order to make an appraisal of its value for accounting purposes.

R. N. Hawkins, Esq.,  
Assistant State Examiner,  
Helena, Montana.

September 16, 1927.

My dear Mr. Hawkins:

You have requested my opinion regarding the right of members of the board of county commissioners to receive compensation for making appraisal of county property.

There is no law specifically authorizing the payment of either compensation, mileage or expenses for such services, and hence it is my opinion that none may be allowed. Of course, if the board makes an appraisal while sitting as a board, and without making a personal inspection of the same, but does so after hearing testimony of witnesses, then I think the board is entitled to its regular per diem for attending a session of the board at which the appraisal was made.

It seems that the legislature contemplated that the county commissioners in making this appraisal, if in fact it was contemplated that they should do so at all, should do so while sitting as a board, functioning in a quasi judicial capacity.

Very truly yours,

L. A. FOOT,  
Attorney General.