

Publications—Printing—Advertising.

Legal or display advertising is a publication duly authorized to be made and comes within the provisions of section 276, R. C. M. 1921.

J. E. Murphy, Esq.,
State Purchasing Agent,
Helena, Montana.

September 28, 1927.

My dear Mr. Murphy:

You have requested my opinion on the following question:

Is legal or display advertising a publication such as to come within the provisions of section 276 R. C. M. 1921, covering the prices for state printing?

Section 276, supra provides in part as follows:

“Hereafter in all cases and instances where any publication is required by law, or is duly authorized, to be made, executed or accomplished by or for or on behalf of the state of Montana, or any of the institutions of said state or any of the departments, boards, bureaus, or commissions thereof, or any of the

officers, agents or employees of the state when acting within the scope of their lawful authority and for the benefit of the state of Montana, the price for such publication and by whomsoever accomplished shall not exceed the following rate and standard hereby established and prescribed as the maximum rate and standard for all publications as aforesaid."

Inasmuch as there are no exceptions in the law to the above provision, the question submitted by you resolves itself into one of fact as to whether or not legal or display advertising is a publication. Funk & Wagnalls New Standard Dictionary defines "publication" as follows:

"The act of publishing or offering to public notice; a making known publicly; or to certain persons regarded as constituting a public; notification to people at large orally or by writing or print; promulgation; proclamation."

"Advertisement" is defined as "A public notice, statement or announcement, usually printed, * * * giving information, etc."

"Advertise" is defined as follows: "To make known by public notice, especially by print; publish abroad; commend to the public."

From the foregoing it is my opinion that legal or display advertising is a publication duly authorized to be made, and comes within the provisions of section 276, supra.

Very truly yours,

L. A. FOOT,
Attorney General.