

**County Surveyors—Salary—County Commissioners.**

The county commissioners may limit the number of days that a county surveyor may devote in any month to work upon the permanent records of the county.

January 10, 1928.

Grover C. Johnson, Esq.,  
County Attorney,  
Polson, Montana.

My dear Mr. Johnson:

You have requested my opinion whether the board of county commissioners has authority to limit the number of days which the county surveyor may draw a salary of \$8.00 per day in recording descriptions

of public highways within the county, as provided by section 4837 R. C. M. 1921.

The county surveyor is an officer provided for by the constitution (section 5, article XVI). His fees are provided for by section 4921. His only authority to draw \$8.00 per day is that found in section 1632 R. C. M. 1921 and that authority is specifically limited to work performed for the county under the direction of the board of county commissioners.

I believe that the county surveyor is not entitled to receive \$8.00 a day for the work performed under section 4836, or for any other work, unless directed by the board of county commissioners.

It follows, therefore, that I am in accord with the conclusion reached by you to the effect that the board of county commissioners has authority to limit the number of days which the county surveyor might work upon the permanent records.

Very truly yours,

L. A. FOOT,  
Attorney General.