

Rewards—County Commissioners.

A board of county commissioners has no authority to offer rewards except as specified in section 4483 R. C. M. 1921, and cannot offer a reward for information which would lead to the arrest and conviction of anyone who might commit a felony.

March 23, 1928.

E. A. Phillips, Esq.,
Secretary, Montana Livestock Commission,
Helena, Montana.

My dear Mr. Phillips:

You have requested my opinion on the following question:

“Is the board of county commissioners authorized to offer a reward for information which would lead to the arrest and conviction of anyone stealing livestock?”

Section 4483 R. C. M. 1921 provides as follows:

“The board of county commissioners of each county has the power to offer rewards for the apprehension and conviction of any person or persons who have committed any felony within their respective counties. Said reward shall not exceed the sum of five hundred dollars for the apprehension and conviction of the party or parties guilty of a felony, and the reward shall not be paid in any case until a conviction has first been had in said case. All rewards shall be paid by warrants drawn on the general fund of the county. In no case shall the members of the board of county commissioners, sheriff, or other county officer receiving an annual or monthly salary, be entitled to any part of any such reward.”

In view of the foregoing statutory provision which specifies what rewards may be offered by the board of county commissioners, it is my opinion that the board has no authority to offer a reward for information which would lead to the arrest and conviction of anyone committing a certain felony.

Very truly yours,

L. A. FOOT,
Attorney General.