

**Delegates—Expenses—Conventions—State.**

Delegates attending a state convention when recognized as such at a state convention are entitled to their mileage of five cents per mile, as provided in chapter 126, laws of 1927.

August 25, 1928.

Charles L. Tyman, Esq.,  
County Attorney,  
White Sulphur Springs, Montana.

My dear Mr. Tyman:

You have requested my opinion whether delegates who have attended a state convention under chapter 126, laws of 1927, are entitled to their expenses provided for by section 8 of this chapter when they were not chosen at a regular meeting of the county convention properly called, as provided in section 3 of this chapter.

You state that no publication of notice was given to the precinct committeemen but that two delegates were named and they attended the state convention and were recognized at the state convention and were given credentials properly signed by the state convention officers.

It is my opinion that since the delegates were recognized as having been properly chosen that they are entitled to the sum of five cents per mile for each mile traveled as provided by section 8 of chapter 126 of the laws of 1927. I believe the courts would hold that the question of whether the delegates were properly selected at a meeting properly called would not be inquired into in a proceeding to recover the expenses.

Very truly yours,

L. A. FOOT,  
Attorney General.