

**Counties—Officers—Purchase—Supplies — Equipment —  
Board of County Commissioners.**

County officers have no authority to purchase supplies and equipment for their offices without authorization by the board of county commissioners.

Denzil R. Young, Esq.,  
County Attorney,  
Baker, Montana.

October 21, 1930.

My dear Mr. Young:

You have requested my opinion whether officers of the county, other than the board of county commissioners, have the right to purchase any supplies or equipment for use in their offices without previous authorization by the board.

“Except as otherwise provided by law, a board of county commissioners ordinarily exercises the corporate powers of the county. It is in an enlarged sense the representative and guardian of the county, having the management and control of its property and financial interests. \* \* \*.” 15 C. J. 451.

I find no statute authorizing a county officer to purchase supplies or equipment for his office, but on the other hand subdivision 8 of Section 4465, R.C.M. 1921, as amended by Chapter 95, Laws of 1923, provides as follows:

“The board of county commissioners has jurisdiction and power \* \* \* to:

“Purchase, receive by donations; or lease any real or personal property necessary for the use of the county, preserve, take care of, manage, and control the same; but no purchase of real property must be made unless the value of the same has been previously estimated by three disinterested citizens of the county appointed by the district judge for that purpose, and no more than the appraised value must be paid therefor.”

It is therefore my opinion that county officers have no authority to purchase supplies and equipment for their respective offices without authorization of the board. However, the board has authority to adopt such means as in its judgment shall be expedient in assisting county officers properly to discharge the duties of their offices, and can there-

fore authorize an officer to make certain purchases such as supplies, etc., subject to their final approval.

Very truly yours,  
L. A. FOOT,  
Attorney General.