

tion, I am of the opinion that the Superintendent of Banks is entitled to traveling expenses, hotel bill, and per diem for the time actually spent by him in the examination of said closed bank. While there may be some question as to the legality of the amendment on account of the defect in the title of the Act, yet the substance of the Act as amended is not materially different from the original act.

**Opinion No. 582**

**Banks and Banking—Closed Banks in  
Receiver's Hands—Examination,  
Expenses of—Superintendent  
of Banks.**

HELD: The Superintendent of Banks is entitled to traveling expenses, hotel bills and per diem for the time actually spent by him in the examination, by order of court, of a closed bank.

July 30, 1934.

You have submitted the question whether the Superintendent of Banks is entitled to receive compensation for examining a closed bank in the hands of a receiver appointed by the District Court, the examination of said closed bank by the Superintendent of Banks having been ordered by the Judge of the District Court.

Chapter 88, Laws of 1923, amending Section 6080, R. C. M., 1921, provides:

“Section 6080. The expenses of traveling, hotel bills, and time actually spent by the office of the Superintendent of Banks in performance of the duties imposed by Section 6079, shall be paid in full by the bank to the State Treasurer for the credit of the Current Departmental Appropriation, and that the title of the bill be amended to include Section 6080 of the Revised Codes of Montana, 1921.”

In view of the provisions of this Sec-