

tana, and after a consideration of the bids the bid of the Petrie Tractor and Equipment Company was accepted.

"It is proposed to pay for this equipment by the giving of a conditional sales contract calling for interest at six per cent, payments to extend over a period of two years.  
\* \* \*

"I would appreciate having your office furnish me with an opinion as to the legality of the purchase of the equipment in this matter."

This question was answered by an opinion of the Attorney General, October 4, 1934. See Opinion No. 619, Volume 15, Opinions of the Attorney General, p. 424. We agree with that opinion. No doubt in many instances where the budget does not otherwise permit, it is an advantage and desirable to purchase road machinery by this method of payment. In the absence of constitutional or statutory provisions forbidding it, we see no reason why the county commissioners may not make such contract. Having the power to purchase the property, the method of payment is also within the power of the county commissioners, subject only to such limitations as are provided by law.

It is therefore my opinion that this contract is legal.

#### Opinion No. 132.

##### Counties—County Commissioners, Powers of.

HELD: County commissioners have power to purchase road machinery on installment plan.

August 5, 1937.

Mr. George J. Allen  
County Attorney  
Livingston, Montana

Dear Mr. Allen:

You have submitted the following request for an opinion:

"After a call for bids for the three-quarter yard full-revolving shovel bids were submitted to the county commissioners of Park County, Mon-