

January 16, 1933.

Mr. Earl Rogge
County Attorney
Clifton, Arizona

My dear Sir:

In response to your request to be advised as to whether or not the recent decision of the Supreme Court in the case of Barrett v. Austin is authority for the proposition that county attorneys may not receive their actual and necessary expenses incurred while traveling on the business of the county in attending preliminary hearings, etc., please be advised that in my opinion this case is not authority for such proposition.

In my opinion this case only holds that public officers are not entitled to traveling expenses incurred while going to and from their homes to their respective offices, and has no reference to such expense when incurred in the actual discharge of their official business.

Very truly yours,

Attorney General

By

Assistant Attorney General

RBS:w

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