

PRINTING: \$1.00 for each description is the maximum amount the County Court can pay for printing under Section 9952b, Laws of Mo. 1935.

December 21, 1939



Honorable Walter G. Stillwell
Prosecuting Attorney
Marion County
Hannibal, Missouri

Dear Sir:

This Department is in receipt of your letter of December 15th, wherein you make the following inquiry:

"The Hannibal Labor Press, a local Weekly newspaper under an oral understanding with the County Court published the list of land which was sold on the first Monday in November for delinquent taxes. At the time The Labor Press was requested to print the list there was no rate mentioned either by the publisher or the County Court so that the compensation to be paid was not discussed. After publication was duly made The Labor Press tendered a bill to the County Court which was based on a 'per square' basis. My attention has been called to Section 9952B, Laws of Missouri, 1935, page 403 and I have expressed the opinion to the Court that they are only obligated to pay One Dollar per description for the three publications. The Labor Press is insisting that they be paid on a 'per square' calculation which in substance amounts to about three times more than the allowance made in the above section."

The section referred to in your letter is 9952b, Laws of Missouri, 1935, pages 403-404. It is only necessary to quote the pertinent part as follows:

"* * * The county collector shall, on or before the day of sale, insert at the foot of such list on his record a copy of such notice and certify on said record immediately following such notice the name of the newspaper of the county in which such notice was printed and published and the dates of insertions of such notice in such newspaper. The expense of such printing shall be paid out of the county treasury and shall not exceed the rate fixed in the county printing contract, if any, but in no event to exceed one dollar for each description, which cost of printing at the rate paid by the county shall be taxed as part of the costs of the sale of any land or lot contained in such list."

Applying the facts which you present in your letter we readily conclude and agree with the opinion that you have heretofore expressed to the court that in no event the charge for the printing of the matters referred to in Section 9952b to exceed one dollar for each description.

Therefore, we are of the opinion that the County Court is authorized to pay the maximum of one dollar for each description, in the event there is no rate fixed in the county printing contract.

Respectfully submitted

APPROVED:

OLLIVER W. NOLEN
Assistant Attorney-General

W. J. BURKE
(Acting) Attorney-General

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