New Counties—Expense of Comparing and Certifying Records.

The cost of transcribing records and comparing and certifying the same must be paid by the new county rather than by the county from which the territory was taken.

John B. Muzzy, Esq.,
County Attorney,
Stanford, Montana.

My dear Mr. Muzzy:

You have submitted to this office the question whether the cost of comparing the transcribed records for the new county of Judith Basin, and the expense of comparing and certifying the same, shall be paid by the new county of Judith Basin or by the county or counties from which the territory of Judith Basin County was taken.

Under the original law relating to transcribing records for new counties, viz., Sections 2860-2864 of the Revised Codes of 1907, it was provided that the county requiring these records, that is, the new county, must pay therefor. These provisions have not been changed, except to make it mandatory upon the Board of County Commissioners to have the records transcribed (Sec. 11, Chap. 226, Sess. Laws of 1919), and your conclusion that Judith Basin County must pay the cost of comparing the transcribed records and certifying the same is correct.

Very truly yours,
WELLINGTON D. RANKIN,
Attorney General.