

**Coroner as County Physician. County Physician as Coroner.  
Offices not Incompatible.**

There is no incompatibility between the office of county coroner and the position as county physician, and the same person, if otherwise qualified, may hold both.

Helena, Mont., Dec. 22nd, 1906.

Hon. John J. Kerr,  
County Attorney,  
Glasgow, Mont.

Dear Sir:—

I am in receipt of your favor of the 18th of December, in which you submit for the consideration of this office the question as to whether the county coroner, who is a physician, may also be employed as county physician.

There is nothing incompatible between the office of county coroner and the employment as county physician. The duties of the county physician are, in effect, those of a private practitioner, but the physician receives his pay from the county instead of from the patient. Sections 1023 and 4285 of the Political Code, cited by you, prohibit a public official from buying or otherwise dealing in accounts against, or warrants issued by the state or county, but this does not prevent any person, whether official or otherwise, from filing an account against the state, or a county, for services rendered by him.

Very truly yours,

ALBERT J. GALEN,  
Attorney General.