

**Fees, Certificates of Births and Deaths. Births and Deaths,
Fees for Certificates Of. Fund Charged With Expense Certifi-
cates Births and Deaths.**

Until the County Commissioners have otherwise designated the fees for filing certificates of births and deaths may be paid either from the General Fund or Contingent Fund of the county.

Helena, Montana, Jan. 13 1908.

T. D. Tuttle, Esq.,
Secretary, State Board of Health,
Helena, Montana.

Dear Sir:—

I am in receipt of your letter of the 10th inst., submitting the question,

“From what funds should the fees provided for in Chap. 25, Session Laws 1907, be paid?”

The act, itself, does not designate the fund which should be drawn upon in payment of these fees, but only provides that they shall be paid by the county. If the county commissioners have designated a fund from which such payments should be made the fund so designated should be charged with such expense, and if no fund has been designated by the county authorities then the same may be paid either from the General Fund or from the Contingent Fund, but should be paid uniformly from the same fund until a fund has been designated therefor. It would seem from the provisions of Section 4257, Pol. Code, that the Contingent Fund is the proper fund. However, as the county commissioners

are given authority by Section 4256, Pol. Code, to transfer surplus money from one fund to another, it is immaterial, so far as the county finances are concerned, which fund is charged with this expense.

Very truly yours,

ALBERT J. GALEN,

Attorney General.