

**County Health Officer, Expenses Of. Health Officer, Claims Of. Procedure, to Collect Claims Against County.**

Where a county board refuses to re-imburse a county health officer for moneys necessarily expended by him in the conduct of his business, his remedy is to appeal from the action of the board, in rejecting the account, to the district court.

April 13, 1912.

Dr. T. D. Tuttle,  
Sec'y, State Board of Health,  
Helena, Montana.

Dear Sir:

I am in receipt of your letter of April 8th, submitting the question as to the proper steps to be taken by a county health officer to secure re-imbursement for moneys expended by him in performing his duties as such officer.

Sec. 1497, Revised Codes, as amended by Chap. 117, Session Laws of 1909, provides that an itemized and verified account shall be pre-

sented. This should be passed upon by the county board in the same manner as other claims. In case the board rejects the claim the claimant may, if he chooses, appeal to the district court under the provisions of Sec. 2947, Revised Codes. Frequently, however, in complying with the provisions of Sec. 2947, in addition to perfecting the appeal as therein stated, the claimant files in the district court a regular complaint setting up his cause of action and the fact that his claim had been presented to the county board and rejected, and that he had filed the necessary papers with said board to bring the matter to the district court as required by the provisions of said section.

Yours very truly,

ALBERT J. GALEN,

Attorney General.