

Bounty Law, Bounties. Proof, Required of Bounty Claimants. Claimants, for Bounty, Proof Necessary Upon Making.

Under the terms of Chapter 91 Session Laws of the Thirteenth Legislative Assembly, a bounty claimant fulfills the requirements of the law if he presents a written statement from a resident taxpayer in addition to the other proof required in the act, and he is not required to furnish an affidavit by a resident taxpayer.

January 6th, 1914

Hon. Roy S. Stephenson,
County Attorney,
Dillon, Montana:

Dear Sir:

I am in receipt of your communication of December 23rd, 1913, asking for my interpretation of a certain portion of Chapter 91 of the Laws of 1913, dealing with the proof to be submitted by a bounty claimant when making claim for bounty on coyote scalps.

This enactment in stating what must be required of bounty claimants by the sheriff, mentions a certificate by the claimant and a written statement by one resident taxpayer. Nothing is said about a certificate from a taxpayer in this portion of the law. The same section, page 421, makes a taxpayer guilty of perjury if he puts in any false statement as to any material matter in the certificate or written statement.

I am of the opinion that a written statement from a resident taxpayer is sufficient, for the reason that where the requirements are prescribed, a written statement is all that is mentioned. Of course a certificate by a taxpayer could have all the force of a written statement, but it does not appear from a full reading of the act that the legislature intended that such statements must be in the form of certificates. As you note in your letter, the language on page 421 is in the alternative, the word "or" being used.

You are, therefore, advised that bounty claimant is fulfilling the requirements of the law when he has presented a written statement from a resident taxpayer in addition to the other proof required of him by the act.

Very truly yours,

D. M. KELLY,
Attorney General.