

**State Examiner—Public Administrator — Estates—Accounts.**

The State Examiner must examine the accounts of a Public Administrator as to the estates not completed by him during his term of office.

L. Q. Skelton, Esq.,  
State Examiner,  
Helena, Montana.

My dear Mr. Skelton:

You have inquired whether it is the duty of your office to examine the accounts of a Public Administrator with reference to estates still under his administration after he retires as Public Administrator.

Section 10009, R. C. M. 1921, requires a Public Administrator to keep a book entitled: "Register of Public Administrator," in which he must enter the names of deceased persons on whose estate he administers, date of granting letters, money received, property and its value, proceeds of sales of property, the amount of his fees, expenses of administration, etc.

Section 210, R. C. M. 1921, makes it the duty of the State Examiner and his assistants "to examine at least once every year the books and accounts of \* \* \* Public Administrators, \* \* \* and all other officers and boards, whether temporary or permanent, however created, and for whatever purpose, having the control, management, collection, or disbursement of any public moneys of any character or description."

A Public Administrator is entitled to continue the administration of an estate commenced by him and not completed when his term of office expires. The completion of the administration of an estate does not devolve upon his successor.

In re Craigie's Estate, 24 Mont. 37;  
24 C. J. 1206, Sec. 2891, Note 57.

It has been held that a Public Administrator retains his official character while acting under letters of appointment, so far as the particular estate is concerned, even though his term of office has expired.

Los Angeles County v. Kellogg, 146 Cal. 590, 80 Pac. 861.

It is, therefore, my opinion that the accounts of a Public Administrator covering estates not completed by him during his term of office should be examined by your office.

Very truly yours,

WELLINGTON D. RANKIN,  
Attorney General.