

**County—Public Administrator—Publication.**

The county is liable for the expense of publishing the report of the Public Administrator required by law.

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

My dear Mr. Skelton:

You have submitted to this office the question of whether the report required to be made by the Public Administrator, under the provisions of Section 10000, Revised Codes of 1921, must be paid for by the Public Administrator or by the county. This section reads as follows:

“The Public Administrator must, once in every six months, make to the district court, or a Judge thereof, under oath, a return of all estates of decedents which have come into his hands, the value of the same, the money which has come into his hands from each estate, and what he has done with it, and the amount of his fees and expenses incurred, and the balance, if any, remaining in his hands; publish the same once in each week for six weeks in some newspaper published in the county, or if there is none, then post the same, legibly written or printed, in the office of the Clerk of the District Court of the county.”

This report is required for the benefit of the county and the public in general, and not for the benefit of the Administrator or of any estate which he is administering. I can see no more reason, therefore, for requiring the officer in this case to pay for this report than for requiring any other officer, who, by law, is required to publish a report, to pay for the same personally.

It is, therefore, my opinion that the expense of publishing the report, required to be published under the provisions of Section 10000, supra, should be borne by the county.

Very truly yours,

WELLINGTON D. RANKIN,  
Attorney General.