

**County Clerk—Records—Inspection—Certificate.**

A county clerk may not be compelled to make a certificate of account of expenditures and receipts as disclosed by his books, but his books are open to inspection.

August 2, 1928.

R. N. Hawkins, Esq.,  
Assistant State Examiner,  
Helena, Montana.

My dear Mr. Hawkins:

You have requested my opinion whether it is mandatory for the county clerk and recorder to make out and certify an account of expenditures or receipts as kept by him in his subsidiary ledger of analysis of expenditures or analysis of receipts, upon request.

There is no statute that imposes any such duty upon the county clerk.

Section 4810 commands that all books, records, maps, charts, surveys, and other papers on file in his office must during office hours be open to inspection. The records of his office, of course, may be used as evidence in court by either the production of the original or by certified copies.

There is no law, however, that requires the county clerk to certify an account of expenditures or receipts as kept by him in his subsidiary ledger of analysis of expenditures or analysis of receipts, and it is therefore my opinion that he is not required to furnish such certified copy.

Very truly yours,

L. A. FOOT,  
Attorney General.