

Opinion No. 127.

County Treasurer.

HELD: A county treasurer must issue his official receipt in triplicate for money collected by him, one copy to be delivered to the party paying the money, one copy delivered to the county clerk, and the third copy retained by him.

August 31, 1939.

Mrs. S. L. Kleve
Chief Examiner
State Capitol Building
Helena, Montana

Dear Mr. Kleve:

You have asked,
"Is it permissible for a county treasurer to make collections for and on behalf of a county without issuing his or her official receipt therefor?"

Section 4751, Revised Codes of Montana, 1935 is as follows:

"When any money is paid to the county treasurer, he must issue a receipt for such money in triplicate, the original of which shall be delivered to the person paying the same, the duplicate of which shall be delivered to the county clerk and the triplicate shall be retained in his office."

All moneys paid to the county treasurer for debts owed the county are paid to him in his official capacity and he must issue an official receipt therefor.