

additional proof concerning an alleged partnership other than the statement of the applicant that such partnership actually exists. From your inquiry it is not clear whether the County Auditor has actual knowledge that a partnership does not in reality exist or is merely suspicious of the non-existence of such partnership. If the County Auditor has actual knowledge that an application is false and fraudulent it could hardly be contended that it is his duty to issue the license. Certainly we could not be required to assist in the execution of a fraud upon the taxpayers of his county. In such a situation the County Auditor would be within his legal rights in requiring positive proof of the existence of such partnership before issuing the license. Where the County Auditor has facts which lead him to question the existence of such partnership it could likewise be said to be within his implied powers to require additional proof of the existence of such partnership. By virtue of Section 5652-1a, supra, it is his duty to issue a kennel license to a partnership. Certainly it is reasonable to say he may satisfy himself that he is issuing a license to the proper party. As to just what additional proof he may require it is obvious that this is a question of fact to be determined from the circumstances of each particular case. It might very well be that he could require more facts in one case than in another case. In general the County Auditor may require such reasonable proof as the circumstances of the particular case warrants.

In view of the nature of the question, it is believed that a more specific answer to your inquiry may not be given at this time.

Respectfully,

JOHN W. BRICKER,
Attorney General.

4412.

APPROVAL, BONDS OF CITY OF WELLSTON, JACKSON
COUNTY, OHIO, \$59,083.86.

COLUMBUS, OHIO, July 12, 1935.

Industrial Commission of Ohio, Columbus, Ohio.