

4472.

APPROVAL, NOTES OF MADISON RURAL SCHOOL DISTRICT,
SCIOTO COUNTY, OHIO, \$3,769.00.

COLUMBUS, OHIO, July 29, 1935.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

4473.

COUNTY AUDITOR—WHERE SEC. 12911, G. C., VIOLATED
COUNTY AUDITOR UNAUTHORIZED TO ISSUE WAR-
RANT FOR PAYMENT OF PREMIUM FOR FIRE INSUR-
ANCE ON COUNTY BUILDING.

SYLLABUS:

A county auditor should refuse to issue his warrant for the payment of premiums for fire insurance on county owned buildings where the contract for such fire insurance was entered into in violation of the provisions of Section 12911, General Code.

COLUMBUS, OHIO, July 29, 1935.

HON. FRANK A. ROBERTS, *Prosecuting Attorney, Batavia, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion which reads as follows:

“A question concerning the responsibilities and duties of a county auditor in the issuing of warrants has been presented to me.

The county auditor has knowledge of the fact that an agent for a fire insurance company who has sold insurance to the county of Clermont is clerk of a board of education in a school district of the county and is also a justice of the peace acting in that capacity.

It is also a fact known to the county auditor that this insurance was sold to the county by this agent during the time he was acting in the above official capacities.

Statements or bills for premiums upon this insurance have been duly presented to the board of county commissioners and have been approved by them. All provisions of the law for proper presentment and approval have been complied with.