

of the bank the following day and the clerk feels that he needs some protection.

Section 2872 specifies that the county commissioners shall furnish among other things 'all things necessary for the prompt discharge of his (the clerk's) duty.' Section 2874 defines one of the duties to 'pay over to the proper party all moneys coming into his hands as clerk.'"

Section 2872 G. C. from which you quote in your letter is as follows:

"The county commissioners shall furnish the clerk all blank books, including the printed trial dockets, blanks, stationery, and all things necessary for the prompt discharge of his duty. The clerk may procure all such articles and upon his certificate shall be allowed therefor."

The court in construing the above section in *Printing Company v. Commissioners*, 8 N. P. 182, says:

"All the clerk has power to do under this section is to select such books and supplies as he may need; it is in the discretion of the county commissioners as to the amount to be paid therefor."

The above section evidently is intended to deal only with the equipment of the office of the clerk.

You also mention in your letter section 2874 G. C., which defines the general duties of the clerk of the court, and especially as it relates to his duty to "pay over to the proper party all the moneys coming into his hands as clerk."

Section 2908 G. C. provides for a penalty of not less than three hundred dollars nor more than five hundred dollars on the failure of the clerk to pay over to the proper party the "moneys which he is by law required to pay over."

Upon examination and consideration of the above mentioned sections and others pertaining to the office of the clerk of courts, we fail to find any express statutory authority for the payment by the county of the premiums on policies for burglary insurance for the office of the clerk of courts, and we therefore answer your inquiry in the negative.

Respectfully,

C. C. CRABBE,

*Attorney General.*

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APPROVAL, BONDS OF MONTVILLE TOWNSHIP RURAL SCHOOL DISTRICT, GEAUGA COUNTY, \$56,000.00, TO CONSTRUCT FIREPROOF SCHOOL BUILDING.

COLUMBUS, OHIO, July 26, 1923.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*