

ment of an action at law. Thereafter the action shall proceed as to the insurer as in an original action at law."

Obviously, if third persons could not secure a judgment from the county for injuries received through the negligent operation of county owned motor vehicles, there would be no liability against the insurance company.

Without further extending this discussion, it is my opinion, in specific answer to your questions, that:

1. A board of county commissioners cannot legally enter into a contract and expend public monies for the payment of premiums on "public liability" or "property damage" insurance covering damages to property and injury to persons caused by the negligent operation of county owned motor vehicles.

2. In the event a county does take out such insurance, there could be no liability against the insurance company in favor of a third person who was injured, as a result of the negligent operation of a county owned motor vehicle.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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2977.

APPROVAL, BONDS OF EAST CLEVELAND CITY SCHOOL DISTRICT,  
CUYAHOGA COUNTY, OHIO—\$153,000.00.

COLUMBUS, OHIO, July 31, 1934.

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

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2978.

APPROVAL, NOTES OF CANAL WINCHESTER VILLAGE SCHOOL DISTRICT,  
FRANKLIN COUNTY, OHIO—\$6,150.00.

COLUMBUS, OHIO, July 31, 1934.

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

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2979.

APPROVAL, NOTES OF RICHMOND VILLAGE SCHOOL DISTRICT,  
JEFFERSON COUNTY, OHIO—\$1,676.00

COLUMBUS, OHIO, July 31, 1934.

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