from which the salary in question may be paid, the county auditor may not be compelled to issue his warrant in the amount of such salary as certified by the sheriff to be payable. *State ex rel.* v. *Thomas,* 35 O. App. 250, 259.

I am informed that there exists at present an appropriation under the heading of "Sheriff's Office" for "Compensation of deputies and assistants." The question then presented is whether or not a jail matron can be classified as a deputy or assistant to the sheriff, so as to allow a proper warrant to be drawn upon that appropriation. In this respect the case of *State of Ohio ex rel.* v. *Cooper, Sheriff,* 12 O. N. P. (N. S.) 659, is pertinent. The second branch of the syllabus reads:

> "A woman serving as matron of a jail is not a public officer, and could not become a public officer under our present Constitution, but is a mere assistant of the sheriff whose term of office expires with that of her superior * * *."

In view of the foregoing, I am of the opinion that where an appropriation has been made from the general fund for "deputies and assistants" of the sheriff's office, it is mandatory that the county auditor issue his warrant on such appropriation for the salary of a legally appointed jail matron, in the amount certified by the sheriff to be correct and payable.

Respectfully,
GILBERT BETTMAN,
Attorney General.

3160.

APPROVAL, BONDS OF CLEVES-NORTH BEND VILLAGE SCHOOL DISTRICT, HAMILTON COUNTY, OHIO.—$50,000.00.

COLUMBUS, OHIO, April 17, 1931.

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

3161.

APPROVAL, ARTICLES OF INCORPORATION OF THE MID-WEST MUTUAL INSURANCE ASSOCIATION.

COLUMBUS, OHIO, April 18, 1931.

HON. CLARENCE J. BROWN, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and my opinion as to the validity thereof, the proposed articles of incorporation of THE MID-WEST MUTUAL INSURANCE ASSOCIATION. The caption designating the same as articles of incorporation is inconsistent with the terminology used in Sections 9593 to 9607, General Code, under the authority of which said association is formed. Opinion of Attorney General, No. 2859, dated January 24, 1931; Opinion of Attorney General, No. 3008, dated February 28, 1931. I consider, however, that this is not a serious defect and may well be ignored.

In all other respects, I find that said proposed articles of incorporation conform with the Constitution and laws of the United States and the State of Ohio. I am therefore of the opinion that it is proper for you to file the same as provided by law.

Respectfully,
GILBERT BETTMAN,
Attorney General.