

**County Warrants—Registration—Payment, in Order of
—Advice.**

County warrants are entitled to preference in payment according to the priority of time in which they are presented. Section defines conditions under which registered warrants are to be paid. Order contrary to law not to be followed.

March 28, 1919.

Mr. C. F. Turner,
County Treasurer,
Glasgow, Montana.

Dear Sir:

In answer to your letter of March 7th, 1919, regarding the registering of county warrants, I beg to advise that I concur in the conclusions which you have reached regarding the necessity of registering warrants and paying them in the order in which they were registered.

Section 2992 of the Revised Codes, of 1907, provides that warrants are entitled to preference as to payment out of moneys in the Treasury properly applicable to such warrants according to the priority of time in which they were presented. This answers your first question. Section 2990 likewise provides that *when there are sufficient moneys to pay the warrants drawing interest the Treasurer must give notice, etc.* This defines the condition under which registered warrants are to be paid.

As to your third inquiry, whether you would be safe in continuing the practice adopted by the former Treasurer if you were served with an order authorizing the same approved by the County Attorney. I can only say that you would not be safe in following anybody's order if such order were contrary to the Laws of this State. I am quite sure that Mr. Borton, your local County Attorney, will ultimately give you an opinion in accordance with the facts expressed.

Respectfully,

S. C. FORD,

Attorney General.