



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN 11, TEXAS

Gerald C. Mann

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ATTORNEY GENERAL

Mr. Quincy Hawkins
County Auditor
Henderson County
Athens, Texas

Dear Sir:

Opinion No. 0-719

Re: Liability of the County Commis-
sioners' Court for interest on
general fund scrip.

Your request for an opinion on the following question:

"Is the county liable to holders of general scrip
for six per cent interest on same?"

has been received by this office.

We quote from an opinion No. 0-505, written by the Hon. Richard
H. Cocke, Assistant Attorney General, as follows:

"A county general fund warrant, commonly called
general fund scrip, is not a negotiable instrument.
Art. 5932, Sec. 1, R.C.S. of Texas. It is only evi-
dence of indebtedness showing that the claim present-
ed was allowed. It is not a contract to pay on de-
mand. The scrip is an order to the County Treasurer
to issue a voucher to the payee for the amount there-
of. 55 Tex. 49, Aske v. Harris County."

Prior to this holding by this department, it has been twice held
by the department that a Commissioners' Court is without authority to al-
low or pay the interest upon ordinary warrants or scrip issued in payment
of current expenses.

It is, therefore, our opinion that a county is not legally liable
to pay interest on scrip warrants issued to pay monthly accounts.

Yours very truly

ATTORNEY GENERAL OF TEXAS

FCC:ob:egw
APPROVED
Gerald C. Mann
ATTORNEY GENERAL OF TEXAS

By s/ Fred C. Chandler
Fred C. Chandler
Assistant

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that a Commissioners' Court is without authority to allow or pay the interest upon ordinary county warrants or scrip issued in payment of current expenses.

It is, therefore, our opinion that a county is not legally liable to pay interest on scrip warrants issued to pay monthly accounts.

Trusting that this answers your inquiry, we are

Yours very truly

ATTORNEY GENERAL OF TEXAS

By *Fred C. Chandler*
Fred C. Chandler
Assistant

FCC:ob

APPROVED

Gerard B. Mann
ATTORNEY GENERAL OF TEXAS