

as to the vacancy in the Treasurers office as follows
 To the Hon Board of County Commissioners of Douglas Co.
 Gentlemen

Answering your question whether there now is a vacancy in the office of County Treasurer which it is your duty to fill by appointment. I will say that I have examined the Statute and made inquiry regarding the facts of the case and am of the opinion that the resignation of Mr Watson of his first term ending on the Second Tuesday of October and the appointment of Mr Morrison to fill the vacancy, so called did not effect Mr Watson's title to the office for the term for which he was elected last commencing on the Second Tuesday of October last. Mr Watson was then legally entitled to the office provided it did not become vacant by virtue of the existence of some one of the events mentioned in Section 1243 Sappers Statute. None of those events have happened except the 1st. This could not happen until 30 days from the said Second Tuesday of October or until 28th day of October. There was ^{then} no vacancy in the office until said last mentioned day Sappers Sec 1237

But the failure of Mr Watson to file his bond and oath of office on or before Oct. 28th has made a vacancy which it is the duty of the Board to fill by appointment Sapper 1063 which appointment will hold good until the next general election and the qualification of the successor to be then elected. S. Kans 333 13 Kans 367

" " 279 The vacancy so occurring within the ten days necessary to be given in case of a special election preceding the general election to be held on Nov 5 I do not think it can be legally filled by election at that time but am of the opinion that your appointee will ~~hold~~ the office until the next general election to be held after Nov 5 1878

Respectfully yours

S. M. Allen

Co. Attorney

The Board decided to make no appointment of Treasurer to day and adjourned sine die

B. J. Diggs

County Clerk