

AUDITOR: Proper to issue warrant for stationery purchased  
prior to June 12, 1933

October 5, 1933

10/5



Hon. Forrest Smith  
State Auditor  
Jefferson City, Missouri

Dear Mr. Smith:

We acknowledge receipt of your letter of October 5th, requesting an opinion of this office on the following matter:

"I am enclosing for your convenience an invoice of printing which was done for the Board of Health. This printing job covers both paper and the work.

You advised me over the telephone that this bill could be legally paid. Due to the fact that this work was done before your opinion covering lithographing came under the State contract, I will appreciate if you will advise me in writing if I will be safe in paying this bill."

An examination of the invoice forwarded shows the same to be dated June 16, 1933, and while our opinion to the Secretary of State was dated June 12, 1933, wherein we advised that the printing contract included embossing, engraving and lithographing, we presume that the order was made and the liability contracted for prior to June 12th. As this obligation was created long prior to the effective date of the State Purchasing Agent Act it cannot be said to be affected in any way by that law. However, if it was customary and usual for letter heads and envelopes to be supplied by others than the Botz Printing Company, under their contract with the State it would seem unfair and unjust at this time to deny payment of the claim. It is our understanding that

Hon. Forrest Smith.

-2-

October 5, 1933

at the time this obligation was created the printing commission had no contract under which this work was required to be done or under the terms this work was to be done. Therefore, so long as the price charged for the stationery and envelopes supplied is reasonable and proper there should be no objection to the payment of the account.

However, this office is not passing upon the justness or reasonableness of the charge in this instance as that is a matter which should be passed upon by you, and this opinion is not to be construed as an approval of the charge made in this case.

Yours very truly,

HARRY G. WALTNER, JR.  
Assistant Attorney General.

HGW:MM