

provision that the sale price of the dog should be equal to or more than the costs assessed, I am inclined to hold that the Legislature intended that a dog may be sold for the best price obtainable even though the amount of such sale is less than the costs assessed against such dog.

Specifically answering your inquiries, I am of the opinion :

1. A dog warden who seizes and impounds on sight a dog found running at large in violation of the registration statutes, is not required to give any notice to the owner of such dog before such dog is sold or destroyed in the manner provided by Section 5652-9 of the General Code. However, notice must be given as required by the provisions of Section 5652-7 of the General Code if the dog is seized and impounded as a result of a complaint filed in a court of competent jurisdiction.

2. When a dog warden seizes and impounds a dog more than three months of age found not wearing a valid registration tag, except dogs kept constantly confined in a registered dog kennel, the owner in redeeming such dog may only be assessed such costs enumerated in Section 5652-10 of the Genral Code as are actually incurred and authorized in the seizure and impounding of such dog.

3. When a dog impounded is sold as provided in Section 5652-9 of the General Code, such dog may be sold for the best price obtainable and the amount of such sale need not be equal to or more than the costs assessed for the impounding and seizure of the dog.

Respectfully,

GILBERT BETTMAN,
Attorney General.

2386.

STREET SIGNS—TOWNSHIP TRUSTEES HAVE NO AUTHORITY TO
ERECT SIGNS INDICATING NAMES OF ROADS OR STREETS.

SYLLABUS:

Township trustees have no legal authority to erect signs indicating the names of roads or streets.

COLUMBUS, OHIO, September 29, 1930.

HON. RAYMOND E. LADD, *Prosecuting Attorney, Bowling Green, Ohio.*

DEAR SIR:—Acknowledgment is made of your recent communication requesting my opinion as follows :

“I wish an unofficial opinion as to whether the trustees of a township have the right to erect street signs in an unincorporated village or city.

The last Federal census of Rossford, which is unincorporated and located in Ross Township, showed Rossford to have a population of nearly 7,000 people. They are unable to obtain free delivery of mail service unless street signs are erected.

The township trustees are asking me if they have authority to erect these street signs.

I have checked the Code and the only section I have been able to find is section 7196, which gives the authority to the county commissioners to erect suitable road signs on inter county highways and main market roads at intersection with other roads, subject to the approval of the State Highway Director.”

It is a fundamental rule of Ohio law that such officers as boards of township trustees may only exercise such powers as are expressly granted by statute and such implied powers as are necessary to carry into effect such express powers. Without undertaking to recite the many powers which township trustees are authorized and required to exercise, it may be stated that an examination of the statutes has been made and no provisions found which, in my opinion, could be construed as granting the township trustees authority to erect signs on streets or roads, either in incorporated or unincorporated villages.

It seems that the village about which you are inquiring has never been incorporated, notwithstanding it had a population of some seven thousand people.

Inasmuch as there seems to be no express authority which would authorize the marking of streets or roads by the township trustees, it follows that a negative answer must be made to your question.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2387.

PUBLIC RECORD—VETERANS' BUREAU—OFFICIAL MUST PROVIDE COPY WITHOUT CHARGE IN DETERMINING ELIGIBILITY OF VETERAN OR GUARDIAN TO RECEIVE MONEY FROM SUCH BUREAU.

SYLLABUS:

Section 11037-14 of the General Code not only applies to veterans or their minor children for whom application is made for the appointment of a guardian but applies to all veterans who are entitled to participate in any moneys payable by the United States made available by the United States Veterans' Bureau when such bureau requires a public record of the veterans to be used in determining the eligibility of such persons to participate in benefits made available by the United States Veterans' Bureau.

COLUMBUS, OHIO, September 29, 1930.

HON. JOHN J. CHESTER, JR., *Prosecuting Attorney, Columbus, Ohio.*

DEAR SIR:—I am in receipt of your letter of recent date, which is as follows:

“I have been asked, informally, by an officer of The American Legion, Department of Ohio, for an interpretation of Section 11,037-14, General Code (113—O. L.—774). The particular question with which they have been confronted is, as to whether or not the provision of this section applied to all of the disabled ex-service men or whether it applies only to those for whom guardians have been appointed. This section reads as follows:

‘Whenever a copy of any public record is required by the bureau to be used in determining the eligibility of *any* person to participate in benefits made available by such bureau, the official charged with the custody of such public record shall without charge provide the *applicant* for such benefits or *any person acting on his behalf* or the representative of such bureau with a certified copy of such record.’

I am informed that in some instances throughout the State this statute has been interpreted in such a way that its provision extends only to those ex-