

1. Under the provisions of Sections 5840, et seq., of the General Code, an owner of live stock injured or killed by a dog belonging to such owner is not entitled to receive compensation from the county funds for the injury to such live stock.

2. Where the owner of live stock injured or killed by a dog not belonging to such owner, presents a claim to the township trustees who hear such claim, make an allowance thereof and transmit their findings with the testimony to the board of county commissioners, whether or not the board of county commissioners allow such claim in whole or in part rests solely within the discretion of such board, whose action in the premises is subject to review by the Probate Court on appeal.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

561.

APPROVAL, NOTE OF LUHRIG SPECIAL SCHOOL DISTRICT, ATHENS COUNTY—\$864.00.

COLUMBUS, OHIO, June 2, 1927.

*Retirement Board, State Teachers' Retirement System, Columbus, Ohio.*

562.

COUNTY COMMISSIONERS—BURIAL EXPENSES OF COUNTY CHARGES  
—BURIAL EXPENSES OF INDIGENT PERSON WHO DIED IN A  
DISTRICT TUBERCULOSIS HOSPITAL.

**SYLLABUS:**

*It is the duty of the board of county commissioners to pay the burial expenses of county charges and where an indigent person, who had been supported in whole or in part by a city, was committed by the proper county officers to a District Tuberculosis Hospital where such person subsequently died, it is the duty of the county commissioners of the proper county to pay the burial expense of such person.*

COLUMBUS, OHIO, June 2, 1927.

*Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.*

GENTLEMEN:—I acknowledge receipt of your letter of recent date reading as follows:

“Section 3495 General Code provides for the burial of the dead at public expense in certain instances.

An indigent person who had been supported by a city under authority of the outdoor relief laws developed tuberculosis and was committed by the county commissioners to a joint county tuberculosis hospital where he subsequently died.

Question: Is the city or county liable for the burial expense?”