

This clearly contemplates a specific bond to cover the securities in which the officers mentioned have the power to make investments. This is a bond separate and apart from the ordinary bonds provided for generally in Sections 4667 et seq. of the General Code. By the terms of Section 4668, each of the ordinary bonds is conditioned upon the faithful performance of the duties of the office. In this instance, however, the bond should cover specifically any failure to account for the securities under the control of the person so bonded. It is to be noted that the last sentence authorizes this bond to cover other contingencies in which the officers might become liable to the city. It is further true that both under this section and Section 4667 the amount of the bond is to be such as council prescribes. While it is clear that the two bonds may accordingly be combined into one, I do not feel that the bond theretofore given by these officials prior to their being authorized to make investments, in pursuance of the provisions of Section 4296-1, et seq., is sufficient to satisfy the requirements of Section 4296-4, supra. That is to say, in my opinion council should act, prior to giving the power of investment to the officials herein above referred to, by requiring them to give such additional bonds as seem to council proper. While this bond may conceivably be combined with the ordinary official bond, the combination should not be merely contingent upon the faithful performance of the duties of the office, but should include a specific provision to cover the additional duties and responsibilities placed upon the officers in question by the provisions of Senate Bill No. 90.

Specifically answering your second inquiry, therefore, I am of the opinion that the bond to be given by the officers of a city having the power to make investments of idle funds, pursuant to Sections 4296-1, et seq., of the General Code, is in addition to the ordinary official bonds of such officers conditioned upon the faithful performance of their duties.

Respectfully,

EDWARD C. TURNER,  
*Attorney General.*

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2187.

APPROVAL, BONDS OF THE CITY OF ATHENS, ATHENS COUNTY—  
\$6,524.29.

COLUMBUS, OHIO, June 2, 1928.

*Industrial Commission of Ohio, Columbus, Ohio.*

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2188.

ROAD IMPROVEMENT—WHEN COUNTY BONDS ISSUED TO PAY TOWNSHIP'S SHARE, LEVY AGAINST TOWNSHIP MUST RUN CONCURRENTLY WITH LIFE OF BONDS—SINKING FUND LEVY—PREFERRED OVER PORTION OF TWO MILL LEVY NOT ALREADY PLEDGED—SECTIONS 1222 AND 1223, GENERAL CODE, DISCUSSED.

*SYLLABUS.*

1. *Where bonds are issued by a county to pay the township's share of the cost of the improvement of a road under authority of former Section 1223 of the General Code, the*