

knot on one end of the series to the knot on the other end." This language cannot be construed to mean that the size of the mesh is to be determined by measuring three separate meshes and taking the average length of the meshes so measured.

In specific answer to your inquiry, I am of the opinion that the size of the mesh of a gill net should be determined by exerting a one pound strain on the third mesh of three consecutive collapsed meshes parallel with the selvage, and measuring the total length of these three meshes from the knot on one end of the series to the knot on the other, and by taking the average length of these three meshes so measured, and not by exerting the one pound weight on three separate collapsed meshes and taking the average length of the separate meshes so measured.

Respectfully,

GILBERT BETTMAN,
Attorney General.

983.

APPROVAL, BONDS OF NAPOLEON VILLAGE SCHOOL DISTRICT,
HENRY COUNTY—\$50,000.00.

COLUMBUS, OHIO, October 4, 1929.

Industrial Commission of Ohio, Columbus, Ohio.

984.

ROAD MACHINERY—PURCHASED WITHOUT COMPETITIVE BIDDING
—SELLER'S RIGHT TO SET-OFF COST OF REPAIRS TO SUCH MA-
CHINERY WHEN FINDING MADE FOR MONEY ILLEGALLY PAID
BY TOWNSHIP TRUSTEES.

SYLLABUS:

Where township trustees purchase road machinery without complying with the provisions of Section 3373, General Code, and the property is returned to the seller and a finding made against the seller, the seller is entitled to plead as a setoff the cost of repairs made on said property during possession by the township if such repairs were ordered by the township in a separate contract which complied with the statutes.

COLUMBUS, OHIO, October 4, 1929.

HON. GEO. E. SCHROTH, *Prosecuting Attorney, Tiffin, Ohio.*

DEAR SIR:—This will acknowledge receipt of your communication of recent date which is as follows:

"The trustees of _____ Township, Seneca County, Ohio, in which township Tiffin is located, some time ago entered into a contract with the _____ Machinery Co., for the purchase for \$4275.00 of a shovel to be used in township work. No advertisement for competitive bidding was