

a county road * * * within the limits of their township." While it may be said that insofar as construction, maintenance and repair is concerned, the township trustees do not have supervision or control of county highways within the limits of their township, it must be borne in mind that the supervision or control over such highways is not in all instances exclusively vested in the county commissioners. Even if the county commissioners had exclusive supervision or control of county highways as to construction, reconstruction, maintenance or repair, I do not believe it necessarily follows that the county must accordingly be said to have exclusive supervision or control of such roads or highways for purposes of lighting. There are no provisions in the General Code whereby the county is authorized to provide for artificial lighting of highways on the county system outside the limits of municipal corporations. In view of the manifest intention of the legislature to authorize the township trustees to provide artificial lights for roads and highways within their townships outside the boundaries of any municipal corporation when such trustees determine that the public safety or welfare requires that such road or highway be lighted, I should have considerable hesitancy in saying that a portion of a county highway within a township is not under the supervision or control of the trustees within the meaning of Section 3440-1, General Code. In any event, it is provided in this section that the trustees shall have power to provide artificial lights for any "territory within such township outside the boundaries of any municipal corporation" when such trustees determine that the public safety or welfare requires that such territory be lighted. Surely it cannot be said that a portion of a county highway within a township and outside the boundaries of any municipal corporation is not territory within such township.

In view of the foregoing and in specific answer to your question, I am of the opinion that under the provisions of Section 3440-1, General Code, as amended by the 88th General Assembly, township trustees of any township have power to provide artificial lights for any part of a county highway within such township and outside the boundaries of any municipal corporation, when such township trustees determine that the public safety and welfare requires that such highway be lighted.

Respectfully,

GILBERT BETTMAN,

Attorney General.

1248.

APPROVAL, BONDS OF PUTNAM COUNTY—\$2,663.21.

COLUMBUS, OHIO, December 3, 1929.

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

1249.

APPROVAL, BONDS OF MEDINA COUNTY—\$101,650.00.

COLUMBUS, OHIO, December 3, 1929.

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