

whatever of a township trustee who has been designated to have charge of the maintenance and repair of the township roads within the township, incurred in the performance of his duties.

It is a rule of law that statutes providing for the compensation and expense of public officials cannot be enlarged, by implication, beyond their terms. This rule is established by a long line of cases, among them being:

Debolt vs. Trustee, 7 Ohio State, 237;
 Anderson vs. Commissioners, 25 Ohio State, 13;
 Strawn vs. Commissioners, 47 Ohio State, 404;
 Jones vs. Commissioners, 57 Ohio State, 189;
 Higgins vs. Commissioners, 62 Ohio State, 621;
 Richardson vs. Commissioners, 66 Ohio State, 108.

There is no statutory provision providing for the reimbursement of a township trustee who has been designated to have charge of the maintenance and repair of township roads within his township, for money expended for oil and gasoline in the use of his own automobile when engaged on such road work.

It would follow, therefore, and you are advised, that such township trustee may not be reimbursed for such expense.

Respectfully,
 C. C. CRABBE,
Attorney-General.

2183.

DISAPPROVAL, BONDS OF VILLAGE OF FAYETTE, FULTON COUNTY,
 \$5,000.00.

COLUMBUS, OHIO, January 28, 1925.

Re: Bonds, Village of Fayette, Fulton County, \$5,000, payable \$3,000 March 15, 1928, and \$2,000 March 15, 1929, 6%.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN:—I have examined the transcript submitted to this department in connection with the foregoing issue of bonds, and find I cannot approve the same for the following reasons:

1. The transcript discloses that the bonds were advertised for sale in one newspaper on May 5, 1921, for four publications thereafter, and in one newspaper on May 7, 1921, and giving notice of the sale of the bonds on June 2, 1921.

The second advertisement began on August 25th and 26th in two different newspapers and provided for the sale of the bonds on Sept. 9, 1921, and the bonds were sold pursuant to this last advertisement. The advertisement did not run for the full period of four weeks as required in section 5924 G. C., and in accordance with the opinion of the Supreme Court in 107-O. S., page 106, and I cannot approve the bonds as having been legally sold.

2. This issue of bonds consists of \$11,610 for the village portion and the sum of \$14,700 is chargeable to special assessments. The portion of the bonds for the village part must necessarily be issued under a different statute for the different proceedings and provisions for payment as in the case of special assessment bonds.

There is no separation of these different classes of bonds in the bond ordinance and the issue in this form is probably in violation of section 4225 G. C.

3. The transcript contains no legislation in accordance with statutory provision that would indicate that property owners have been notified or bound to pay these assessments against abutting properties.

In view of the failure of the transcript to show legal proceedings in the issuance and sale of these bonds, you are advised not to purchase the same.

Respectfully,

C. C. CRABBE,

Attorney-General.

2184.

APPROVAL, BONDS OF HARRISON VILLAGE SCHOOL DISTRICT, HAMILTON COUNTY, \$75,000.00.

COLUMBUS, OHIO, January 28, 1925.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

2185.

APPROVAL, BONDS OF VILLAGE OF SOUTH EUCLID, CUYAHOGA COUNTY, \$152,000.00.

COLUMBUS, OHIO, January 28, 1925.

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

2186.

APPROVAL, BONDS OF BEREA RURAL SCHOOL DISTRICT, HAMILTON COUNTY, \$15,000.00.

COLUMBUS, OHIO, January 28, 1925.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

2187.

AN ATTORNEY APPOINTED TO ASSIST A PROSECUTING ATTORNEY, WHO IS LATER APPOINTED PROSECUTOR MAY NOT LEGALLY RECEIVE COMPENSATION FOR SERVICES AS SUCH ASSISTANT RENDERED AFTER HIS APPOINTMENT AS PROSECUTOR.

SYLLABUS:

Where an attorney is appointed to assist the prosecuting attorney in the trial of a murder case, and later the prosecuting attorney resigns, and the attorney appointed to