

for the latter purpose is found in Section 9885, General Code, which relates to cases in which the title is in the society.

From what has been said it is clear that the facts in your case are entirely different from those under consideration in the 1923 opinion. A careful study of said opinion indicates that if the then Attorney General had been considering facts similar to those you present, the opposite conclusion in all probability would have been reached.

In view of the foregoing, it is my opinion that where the title to the grounds used by a county agricultural society is in the county, the society may not mortgage same either with or without the consent of the county commissioners for the purpose of paying pre-existing debts.

It is believed a more specific answer to your inquiry is unnecessary.

Respectfully,

GILBERT BETTMAN,
Attorney General.

3206.

APPROVAL, BONDS OF WEST LOVELAND RURAL NO. 7 SCHOOL DISTRICT, HAMILTON AND CLERMONT COUNTIES, OHIO—\$10,500.00.

COLUMBUS, OHIO, May 5, 1931.

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

3207.

OFFICES COMPATIBLE—CITY BOARD OF HEALTH MEMBER AND LABORER IN SUCH CITY'S WATERWORKS DEPARTMENT.

SYLLABUS:

A member of a municipal board of health may be employed by the city waterworks department as a laborer.

COLUMBUS, OHIO, May 8, 1931.

HON. H. G. SOUTHARD, *Director of Health, Columbus, Ohio.*

DEAR SIR:—Your recent opinion request reads as follows:

“In the city of Mansfield there is a member of the Board of Health who has served in this capacity for several years. In the past few weeks he has been employed by the City Water Works Department as a laborer. The question has been raised that this man could not serve as a member of the Board of Health and also as an employe of the Water Works Department.