

cumbent thereof ceases to be an officer, for he cannot be a *de facto* officer of an office no longer in existence."

The court on page 369 uses the following language:

"The authority to create an office and the power to abolish the same are co-existent, and hence the tribunal authorized to create an office may abolish such office any time it chooses, either during or at the end of the term of any incumbent of such office. The incumbent would not be entitled to compensation thereafter, for he could not be a *de facto* officer of an office which was no longer in existence. It is well settled in this state that when an office is abolished by duly-constituted authority the incumbents thereof cease to be officers, for there can be no incumbent without an office."

In view of the foregoing provisions of the Constitution of Ohio and decision,
Query:

Whether or not the constitutional provision above mentioned is self-executing?

I find no adjudication in Ohio upon this question, and until the question is decided by a court of competent jurisdiction, we give it as our opinion that the two offices shall stand combined as of the date mentioned in your letter, February 9, 1925, in harmony with the last paragraph of Section 1604-3 G. C.

Respectfully,

C. C. CRABBE,
Attorney General.

2035.

APPROVAL, BONDS OF VILLAGE OF WILLARD, HURON COUNTY,
\$62,000.00, TO IMPROVE WATER AND ELECTRIC LIGHT PLANT.

COLUMBUS, OHIO, December 6, 1924.

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

2036.

APPROVAL, BONDS OF VILLAGE OF AMHERST, LORAIN COUNTY,
\$18,000.00, TO PAVE MILAN AVENUE.

COLUMBUS, OHIO, December 6, 1924.

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