

3318.

APPROVAL, BONDS OF CENTERBURG VILLAGE SCHOOL DISTRICT,
KNOX COUNTY, OHIO, \$9,610.20.

COLUMBUS, OHIO, October 17, 1934.

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

3319.

APPRAISER—IN PROCEEDING UNDER EXECUTION NOT ENTITLED
TO MORE THAN FIVE DOLLARS PER DAY.

SYLLABUS:

1. *Where a proceeding under execution involves more than one appraisal, the appraiser is entitled to a sum not to exceed five dollars per day and his necessary expenses, unless the court fixes his compensation at a greater amount in accordance with the proviso in section 3006, General Code.*

2. *In the event that the same appraiser is called upon by the sheriff on the same day to make appraisals in different and unrelated proceedings on execution, such appraiser should not be paid on the basis of the number of appraisals made but should receive a sum not to exceed five dollars per day and his necessary expenses, unless the court fixes his compensation at a greater amount in accordance with the proviso in section 3006, General Code.*

COLUMBUS, OHIO, October 18, 1934.

HON. RAY B. WATTERS, *Prosecuting Attorney, Akron, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion which reads as follows:

“Some time ago we wrote to you, asking for an opinion in reference to Sections 3006 and 3006-1 of the General Code. We wish to thank you for your opinion in that case. However, the real point at issue does not seem as yet to have been settled. The question has been raised as to whether or not appraisers appointed by the sheriff under an execution are entitled to receive as compensation for the appraisal the sum of \$5.00.

Would you kindly render us an opinion on these points:

1. Where a proceeding under execution involves more than one appraisal, is the appraiser entitled to a fee of \$5.00 for each appraisal?

2. In the event that the same appraiser is called upon by the sheriff on the same day to make appraisals in different and unrelated proceedings on execution, is the appraiser entitled to \$5.00 for each appraisal or for each proceeding?”

The opinion referred to in your letter is to be found in Opinions of the