

I find no other provision of the General Code with reference to an election of a successor in case of the vacancy in the office of the county surveyor. The provisions of Section 10, General Code, *supra*, therefore will govern in the election of such successor.

In Opinions of the Attorney General for 1916, Vol I, page 873, the syllabus is as follows:

"Where a vacancy in the office of county surveyor occurred in May, 1916, there should be elected at the November election 1916, a person to fill the unexpired term, whose tenure of office will begin upon qualification after such election and end on the day preceding the first Monday of September, 1917. There should also be elected at the same election a surveyor for the term of two years, beginning on the first Monday of September, 1917."

It will be observed since the foregoing opinion was rendered, Section 2782, General Code, has been amended, 110 O. L. 263, changing the time at which the county surveyor takes his office from the first Monday in September after his election to the first Monday of January after his election. This section was again amended, April 21, 1927, 112 O. L. 179, to read as follows:

"There shall be elected in each county at the regular election in 1928, and quadrennially thereafter, a county surveyor who shall assume office on the first Monday in January next after his election and who shall hold said office for a period of four years."

Answering your question specifically, it is therefore my opinion that under the facts stated by you, there should be elected at the coming November election, a county surveyor for the unexpired term ending on the first Monday in January, 1929, and also a county surveyor for the full term of four years, beginning on the first Monday of January, 1929.

There is nothing, however, to prevent the same person being elected for the unexpired term and the full term of four years.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

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APPROVAL, BONDS OF ASHTABULA TOWNSHIP RURAL SCHOOL DISTRICT, ASHTABULA COUNTY—\$16,000.00.

COLUMBUS, OHIO, February 27, 1928.

*Industrial Commission of Ohio, Columbus, Ohio.*