

tionary are—"to be true to the court and to his clients; to manage the business of his clients with care, skill and integrity." °

It is common knowledge that when the services of an attorney-at-law are engaged in a matter, generally the first action of such attorney, after investigation of the legal and equitable rights involved, is to propose a settlement in part or in full in order to avoid the costs of court litigation, and if such settlement is not forthcoming, he proceeds to a judicial determination of the matter.

Since the city solicitor is required to appear for the board of education in all civil actions brought by it, the proper procedure for him to have followed as its attorney in the instant case, and which procedure he did follow, was to consult with the surety companies, with a view to effecting a settlement or as a preliminary to court action. Such services, therefore, would be included in the ordinary duties of a city solicitor as attorney for such board of education, and consequently compensation for such services in addition to that fixed according to law could not and cannot be allowed. (See Section 4762, General Code, above quoted.)

In view of the foregoing, and in specific answer to your inquiry, I am of the opinion that a city solicitor may not be compensated for legal services rendered in the settlement of claims against the sureties of a city board of education depository.

Respectfully,

GILBERT BETTMAN,
Attorney General.

3926.

APPROVAL, CONTRACTS FOR ROAD IMPROVEMENTS IN SHELBY,
LORAIN, HANCOCK, LICKING AND RICHLAND COUNTIES.

COLUMBUS, OHIO, January 8, 1932.

Hon. O. W. Merrell, Director of Highways, Columbus, Ohio.

3927.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND
ROBERT J. MARKARIUS OF DAYTON, OHIO, FOR PLUMBING FOR
KITCHEN, DINING ROOM AND STOREROOM BUILDING AT OHIO
SOLDIERS' AND SAILORS' ORPHANS' HOME, XENIA, OHIO, AT AN
EXPENDITURES OF \$6,060.00. SURETY BOND EXECUTED BY THE
FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

COLUMBUS, OHIO, January 8, 1932.

HON. T. S. BRINDLE, Superintendent of Public Works, Columbus, Ohio.

DEAR SIR:—Your immediate predecessor, Albert T. Connor, submitted to this office for my approval a contract between the State of Ohio, acting by and through the Department of Public Works, for and on behalf of the Board of Trustees of the Ohio Soldiers' and Sailors' Orphans' Home, Xenia, Ohio, and