

You will note that the allowance for actual necessary expenses provided for by Section 3017, supra, is not a "fee" for official service, as that term commonly is used, but a reimbursement to such officers *for actual necessary expenses*. Such allowances are, therefore, without the provisions of Section 1579-1015, General Code, requiring the clerk of the Municipal Court of Mansfield to "collect all fines, costs and penalties" and to pay, on the first business day of each calendar month to the treasurer of the city of Mansfield "all moneys collected by his office for official services."

Specifically answering your question, it is my opinion that for the reasons above stated the council of the city of Mansfield may not legally provide that an allowance of a specified sum per annum be paid to the bailiff of the Municipal Court of the city of Mansfield for the use of his automobile, in addition to the maximum salary prescribed by statute.

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

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2090.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO, THE CITY OF COLUMBUS AND THE INDIANA, COLUMBUS AND EASTERN TRACTION COMPANY FOR THE ELIMINATION OF GRADE CROSSING ON WEST BROAD STREET IN THE CITY OF COLUMBUS, OHIO.

COLUMBUS, OHIO, May 12, 1928.

HON. GEORGE F. SCHLESINGER, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract by and between the city of Columbus, the State of Ohio, acting by and through George F. Schlesinger, Director of Highways, and J. H. McClure, Receiver for the Indiana, Columbus and Eastern Traction Company.

This contract pertains to the elimination of the grade crossing over the tracks of the C. C. C. & St. L. R. R. on West Broad street in the city of Columbus, Ohio, which said West Broad street has heretofore been designated by the Director of Highways as an extension of State Highway No. 1, within said city.

I have carefully examined said contract and finding it in proper legal form I hereby approve and return the same to you.

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

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2091.

APPROVAL, FINAL RESOLUTIONS ON ROAD IMPROVEMENTS IN CUYAHOGA, LAWRENCE, LORAIN AND WARREN COUNTIES.

COLUMBUS, OHIO, May 12, 1928.

HON. GEORGE F. SCHLESINGER, *Director of Highways, Columbus, Ohio.*