

pend money, and further, it is suggested that the county auditor would be liable under section 5661 of the General Code for drawing a voucher, unless the money for the payment of the same had been appropriated by the county commissioners and the proper certificate made. Whether this section might also apply to the judge of the juvenile court when certifying to the vouchers for the salary of the probation officers, quaere.

Section 1662 of the General Code quoted above is apparently in conflict with section 5649-3g in that section 1662 permits the juvenile judge to appoint and fix the compensation of the probation officer and authorizes him to certify to the county auditor vouchers for the payment of the same and section 5649-3g requires an appropriation by the county commissioners and a certificate by the chief fiscal officer before any obligations can be incurred against the county, or before any expenditures may be made from the funds of the county.

Section 5649-3g does not repeal any part of section 1662 and as repeals by implication are not favored by the courts, it is believed that we must construe section 1662 and section 5649-3g in such a way as to harmonize them and give effect to each, if possible.

Section 1683 of the General Code provide as follows:

“This chapter shall be liberally construed to the end that proper guardianship may be provided for the child, in order that it may be educated and cared for, as far as practicable in such manner as best subserves its moral and physical welfare, and that, as far as practicable in proper cases, the parent, parents or guardians of such child may be compelled to perform their moral and legal duty in the interest of the child.”

By this section a liberal construction must be given to any part of the juvenile act in the interest of the children who come in contact with the juvenile court.

It would hardly seem logical for the legislature to place in the hands of the juvenile judge the authority to fix the compensation of its probation officers and then permit the county commissioners by refusing to appropriate or by not appropriating sufficient funds, to change the compensation so fixed by the court.

Inasmuch as the county commissioners have no authority, in any manner, in appointing the probation officers or in fixing the compensation of the same, it is believed that it is the duty of the county commissioners to appropriate sufficient funds to cover the compensation fixed by the juvenile judge.

It is therefore my opinion that the county commissioners may not by a refusal to appropriate or by not appropriating sufficient funds reduce or change the compensation fixed by the juvenile judge under section 1662 of the General Code.

Respectfully,

C. C. CRABBE,

Attorney General.

3300.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE RILEY STOKER CORPORATION, CLEVELAND, OHIO, COVERING CONSTRUCTION AND COMPLETION OF STOKERS FOR THE OHIO PENITENTIARY, COLUMBUS, OHIO, AT EXPENDITURE OF \$13,404.00. SURETY BOND EXECUTED BY THE GLOBE INDEMNITY COMPANY.

COLUMBUS, OHIO, April 27, 1926.

HON. JOHN E. HARPER, *Director, Department of Public Welfare, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Welfare, and the Riley Stoker Corporation, Cleveland, Ohio. This contract covers the construction and completion of stokers for the Ohio Penitentiary, Columbus, Ohio, and calls for an expenditure of \$13,404.00.

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. There has further been submitted a contract bond upon which the Globe Indemnity Company appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workmen's compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,

C. C. CRABBE,

Attorney General.

3301.

APPROVAL, BONDS OF CITY OF ATHENS, ATHENS COUNTY, \$4,054.59.

COLUMBUS, OHIO, April 26, 1926.

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

3302.

APPROVAL, BONDS OF VILLAGE OF MAPLE HEIGHTS, CUYAHOGA COUNTY, \$154,024.00.

COLUMBUS, OHIO, April 26, 1926.

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

3303.

APPROVAL, BONDS OF CLEVELAND HEIGHTS CITY SCHOOL DISTRICT, CUYAHOGA COUNTY, \$10,000.00.

COLUMBUS, OHIO, April 26, 1926.

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