

In the case that you present the application for registration was not filed in the office of the county auditor of the county in which such dog was kept or harbored and Section 5652, supra, was not complied with.

In view of the foregoing and answering your question specifically, it is my opinion that Section 5652, General Code, requires an application for registration of any dog, subject to the provisions thereof, to be filed in the office of the county auditor of the county in which such dog is kept or harbored. Any registration tag otherwise issued would not constitute a valid registration tag.

In connection with the above it should be pointed out that it is not meant to hold herein, that a dog should in all events be registered in the county where it happens to be at the time of registration. The test is, in what county of the state is the dog actually and in good faith "kept and harbored". And what is the proper county is a question of fact in each particular case.

I am enclosing herewith a copy of Opinion No. 1265 referred to.

Respectfully,
EDWARD C. TURNER,
Attorney General.

1681.

APPROVAL, BONDS OF FRANKLIN COUNTY—\$10,000.00.

COLUMBUS, OHIO, February 6, 1928.

Industrial Commission of Ohio, Columbus, Ohio.

1682.

APPROVAL, BONDS OF IRONTON CITY SCHOOL DISTRICT, LAWRENCE COUNTY—\$10,000.00.

COLUMBUS, OHIO, February 6, 1928.

Industrial Commission of Ohio, Columbus, Ohio.

1683.

PROBATE JUDGE—PREMIUM FOR BOND PAID BY COUNTY—MAY NOT RECOVER PREMIUM PAID PERSONALLY.

SYLLABUS:

1. *By the terms of Section 9573-1, General Code, a county is authorized and required to pay the premium of any duly licensed surety company on the bond of the Probate Judge of such county.*