

50.

APPROVAL, BONDS OF GUSTAVUS RURAL SCHOOL DISTRICT, TRUMBULL COUNTY, OHIO—\$1,400.00.

COLUMBUS, OHIO, February 4, 1929.

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

51.

CITY COUNCIL—NO REFUND TO MUNICIPAL OFFICER FOR EXPENSES INVOLVING ENFORCEMENT OF PROHIBITION LAW—NECESSITY OF DEFINITE TERM AND COMPENSATION.

**SYLLABUS:**

*A city council may not lawfully provide funds to be used for the purpose of reimbursing the mayor or chief of police for amounts advanced by them to other persons for giving information leading to the arrest of violators of the prohibition law. In such employments the terms and compensation must first be fixed by the council.*

COLUMBUS, OHIO, February 4, 1929.

*Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.*

GENTLEMEN:—Acknowledgment is made of your recent communication which reads:

“The council of the city of ----- makes an annual appropriation for secret service, from which payments are made to the mayor and chief of police from time to time to reimburse them for funds expended in obtaining information of the violation of laws and ordinances prohibiting the sale, etc., of intoxicating liquors. It is the custom to pay five or ten dollars to the persons giving information leading to the arrest of a violator but council has not fixed the amount of such compensation nor has it created the office or position.

Question: In view of the provisions of Sections 4214 and 6212-37, General Code, is this practice permissible?”

Section 4214 of the General Code, to which you refer, provides:

“Except as otherwise provided in this title, council, by ordinance or resolution, shall determine the number of officers, clerks and employes in each department of the city government, and shall fix by ordinance or resolution their respective salaries and compensation, and the amount of bond to be given for each officer, clerk or employe in each department of the government, if