

In view of the foregoing, and answering your question specifically, it is my opinion that in case of employment of the minor son of a township trustee to perform work for the township, for which the son is to be paid from township funds, a presumption exists that the father is interested in the profits of his son's labor. This presumption is rebuttable by showing that the minor son is emancipated and that the father is not in fact interested in the profits of his son's contract, job, work or services.

The employment of the minor son of a township trustee to perform labor for the township of which he is trustee and for which the son is to be paid from township funds, is not necessarily a violation of Section 12912, General Code. To sustain a conviction under Section 12912, it would be necessary affirmatively to prove beyond the existence of a reasonable doubt that the township trustee, in the employment of his minor son to do township work, was interested in the profits of his son's services, and the presumption referred to in the paragraph above would be overcome by showing complete or partial emancipation of the son.

Where a minor child of a township trustee, to-wit, a boy of about fifteen years of age, is not emancipated and is employed to perform work for the township, using at times his father's team, the father, being under the law entitled to the services and earnings of such minor child, is interested in the profits of the son's work or services for such township in violation of Section 12912 of the General Code.

The provisions of Sections 3294 and 3372, General Code, wherein it is provided that a township trustee shall not receive for his services as such trustee an aggregate sum of more than \$250.00 in any one year, has reference to the aggregate amount of fees and daily stipends to be paid to such trustee, as provided by law.

Respectfully,

EDWARD C. TURNER,
Attorney General.

1170.

APPROVAL, BONDS OF THE VILLAGE OF MILTON, MIAMI COUNTY—
\$18,000.00.

COLUMBUS, OHIO, October 19, 1927.

Industrial Commission of Ohio, Columbus, Ohio.

1171.

APPROVAL, BONDS OF THE VILLAGE OF SOUTH EUCLID, CUYAHOGA
COUNTY, OHIO—\$41,000.00.

COLUMBUS, OHIO, October 19, 1927.

Industrial Commission of Ohio, Columbus, Ohio.