

later decision held the law unconstitutional, yet the fact remains that the last opinion of the Supreme Court is that announced in 98 O. S. 446, affirming the constitutionality of the act.

Specifically answering your question you are advised that you are without authority to require the charging back at November elections in even-numbered years of the costs of printing the ballots against the city or political division in which such election was held upon a special question, but that the same are required to be paid out of the county treasury as other proper and necessary expenses of a general and special election.

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

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626.

APPROVAL. FINAL RESOLUTION ON ROAD IMPROVEMENT ON  
LOUDONVILLE LEXINGTON ROAD, ASHLAND COUNTY.

COLUMBUS, OHIO, June 16, 1927.

HON. GEORGE F. SCHLESINGER, *Director, Department of Highways and Public Works,*  
*Columbus, Ohio.*

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627.

PROSECUTING ATTORNEY—IS LEGAL ADVISER TO THE COUNTY  
TREASURER—MUST PROSECUTE ALL ACTIONS WHICH THE  
COUNTY TREASURER MAY DIRECT OR TO WHICH HE IS A  
PARTY.

SYLLABUS:

1. *By virtue of the provisions of Section 2917, General Code, the prosecuting attorney is the legal adviser of the county treasurer, and it is the duty of the prosecuting attorney to represent the county treasurer and to prosecute all suits and actions, which the county treasurer may direct or to which he is a party, including suits and actions for the collection of personal taxes.*

2. *By the express terms of Section 2917, General Code, no counsel or attorney other than the prosecuting attorney may be employed to represent the county treasurer, unless such employment be authorized by the common pleas court, upon the application of the prosecuting attorney and county commissioners, as provided in Section 2412, General Code.*

COLUMBUS, OHIO, June 16, 1927.

HON. GEORGE A. MEEKISON, *Prosecuting Attorney, Napoleon, Ohio.*

DEAR SIR:—Receipt is acknowledged of your letter of recent date reading as follows: