

rules of construction and every effort is to be made to harmonize said sections if the same may be done.

It is my opinion that Section 7464, in its language, does not include such duties as removing obstructions caused by snow. In other words, removal of an obstruction from a road is not necessarily maintaining a road.

Section 3374-1, supra, imposes upon township trustees the duty of removing snow obstructions in all traveled roads by reason of the fact that such trustees are more closely located to the portions of such roads as are apt to be obstructed by snow. The removal of an obstruction by snow does not necessarily mean the removal of snow and ice from the paved portions of the highway. It is believed that this provision has reference to the removal of drifts so as to make the road passable.

The theory I have above adopted was supported in my opinion No. 294, issued to the Bureau of Inspection and Supervision of Public Offices, under date of April 12, 1929. In that opinion it was held, among other things, that the proceeds of the motor vehicle license tax and the gasoline tax could not be used for the purpose of cleaning the streets or removing ice and snow therefrom, notwithstanding the language of the acts producing such funds authorizes the use thereof for the purpose of maintenance and repair.

It is believed that the principle announced in the opinion above referred to will by analogy apply to the question under consideration herein.

In specific answer to your inquiry, it is my opinion that Section 7464, as amended by the 87th General Assembly (112 v. 496) does not repeal by implication Section 3374-1, General Code, and it is therefore the duty of the township trustees to keep state, county and township roads free from obstruction by snow.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*

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1344.

APPROVAL, BONDS OF CITY OF EAST PALESTINE, COLUMBIANA COUNTY—\$53,720.61.

COLUMBUS, OHIO, December 30, 1929.

*Industrial Commission of Ohio, Columbus, Ohio.*

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1345.

APPROVAL, BONDS OF WAVERLY RURAL SCHOOL DISTRICT, PIKE COUNTY—\$138,000.00.

COLUMBUS, OHIO, December 30, 1929.

*Industrial Commission of Ohio, Columbus, Ohio.*