

under the duty of keeping in repair those necessary bridges within the cities of the state which are over streams and public canals on state and county roads, free turnpikes, improved roads, abandoned turnpikes and plank roads in common public use; and they are under a like duty as to similar bridges within those villages which do not demand and receive a portion of the bridge fund as authorized by section 2421-1 (108 O. L. 259). If a village does demand and receive a portion of the bridge fund from the county, then the village is under the duty of maintaining such of the bridges mentioned as are wholly within the village.

2. Municipal corporations, both cities and villages, are under the duty of maintaining bridges on streets established by the city or village for the use and convenience of the municipality and not a part of a state road, county road, free turnpike, improved road, abandoned turnpike or plank road."

When the conclusions thus reached by this department are applied to the statement of facts submitted by yourself and Mr. Maple, it clearly follows, and you are accordingly advised that it is the duty of your county commissioners to make the repairs in question.

It is proper to say that in addition to the authorities cited in the opinion of this department above quoted from, the conclusions in said opinion find support in the two cases referred to in the memorandum submitted by the solicitor for the village of Lebanon:

State ex rel. vs. Eirick, 17 O. C. C. (N. S.) 331, 25 O. C. D. 18 (affirmed by supreme court without opinion, 84 O. S. 503).

Railway Company vs. Cincinnati, 94 O. S. 269.

Respectfully,

JOHN G. PRICE,

Attorney-General.

1646.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENTS IN
PUTNAM AND LAWRENCE COUNTIES, OHIO.

COLUMBUS, OHIO, November 10, 1920.

HON. A. R. TAYLOR, *State Highway Commissioner, Columbus, Ohio.*