

489.

## APPROVAL, LEASE TO NEWBURGH AND SOUTH SHORE RAILWAY COMPANY.

COLUMBUS, OHIO, May 14, 1927.

*Department of Highways and Public Works, Division of Public Works, Columbus, Ohio.*

GENTLEMEN:—I am in receipt of your letter dated May 13th, 1927, in which you enclose the following lease in triplicate, for my approval:

NAME	Valuation
To The Newburgh and South Shore Railway Co., -----	\$11,666.67

I have carefully examined said lease, find it correct as to legality and form, and am therefore returning same with my approval endorsed thereon.

Respectfully,

EDWARD C. TURNER,  
*Attorney General.*

490.

COUNTY SURVEYOR — MAY NOT PERFORM SERVICES FOR CITY WHEN SAID SERVICES ARE NOT PART OF HIS DUTY—DEPUTY COUNTY SURVEYOR MAY PERFORM SERVICES FOR CITY OR ANY OTHER CORPORATION WHEN SAID SERVICES ARE NOT INCONSISTENT WITH DUTIES OF HIS OFFICE.

## SYLLABUS:

1. *A county surveyor may not perform services for a city when such services are not a part of his duties as county surveyor.*
2. *This prohibition cannot be removed by the officer charging the city for said services and paying the money so received into the county treasury.*
3. *A deputy county surveyor may be employed for part time and during that portion of his time which is not required under his appointment as deputy county surveyor, he may perform services for a city or any other corporation or person providing said services are in nowise inconsistent with the duties of his office.*

COLUMBUS, OHIO, May 14, 1927.

HON. ALBERT T. STROUP, *Prosecuting Attorney, Van Wert, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion as follows:

“Is it lawful for the County Surveyor or his Deputies, when not busy with work for the county, to work for the city, such as surveying streets therein etc., if they charge the city for the same and place the money