by law," (section 4324), and if in the exercise of a sound discretion he concludes that a survey for a proposed waterworks extension should have the attention of the engineer in preference to other proposed or current improvements, no reason is perceived for his not proceeding accordingly, when he has at hand a fund which was expressly appropriated for engineering services. The statement just made is certainly not open to the objection that council has indicated an intent that the engineering appropriation be not used for waterworks purposes, in that it did not exercise its power to include in the waterworks section of the semi-annual appropriation an item to cover cost of the proposed surveys, for on the one hand the appropriation for engineering appears to have been a general one without express restriction against use for particular purposes and hence may be devoted by the director to such municipal engineering necessities as he may in his discretion find advisable, and on the other hand, council in adopting said motion of April 23, has at least indicated a belief that funds had been appropriated for the making of the surveys. However desirable it may be from the standpoint of policy that council should have made provision from waterworks revenues for the expense of making the surveys in question, it cannot be said upon the whole, in the absence of a restrictive statute or ordinance, that the director will be guilty of an abuse of discretion in drawing upon the engineering appropriation for the payment of such expense, to the extent that the appropriation from waterworks revenues is insufficient to care for such expense.

You are therefore advised in specific answer to your question that compensation of the engineer for the time spent on the survey described may be legally charged to the general appropriation for engineering in the public service fund, to the extent that the appropriation from waterworks revenues is insufficient to provide for such compensation.

Respectfully,
JOHN G. PRICE,
Attorney-General.

1328.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENTS IN ASHLAND AND WYANDOT COUNTIES.

COLUMBUS, OHIO, July 10, 1920.

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

1329.

APPROVAL, BONDS OF BROOKVILLE CONSOLIDATED SCHOOL DISTRICT MONTGOMERY COUNTY, OHIO, IN AMOUNT OF $120,000.

COLUMBUS, OHIO, June 11, 1920.

Industrial Commission of Ohio, Columbus, Ohio.