

OPINION
47-63

February 27, 1947 (OPINION)

COUNTIES

RE: States Attorney - No Fee for Advice to Township Supervisors

This is in reply to your letter of February 24, in which you state that the township board is getting ready to submit to a vote of the people the question of issuing bonds to raise money for graveling the highways. You inquire whether the state's attorney is entitled to a fee for assisting the board in drawing up the necessary papers.

Section 11-1601, of the 1943 Revised Code, prescribes the duties of the state's attorney, providing, among other things, that he shall "give", when required and without fee, his opinion in writing tot the county, district, township, and school district officers on matters relating to the duties of their respective offices".

While it is not the duty of the state's attorney to bring actions or defend actions free of charge, nevertheless, it is our opinion that under the statute it would be his duty to give such advice to a board of township supervisors as may be necessary in the matter of submitting a bond issue to the vote of the people of the township.

NELS G. JOHNSON

Attorney General