

"When the corporate limits of a city or village have become identical with those of a township and the council of the city or village has by ordinance fixed the amount of compensation to be paid to a justice of the peace, elected within the township, as the amount of fees taxed and collected by said justice of the peace in the hearing of state cases, the council of said municipality may subsequently change the amount of compensation to be paid to said justices of the peace by the enactment of an ordinance providing for the payment to the justice of the peace of a definitely fixed salary."

Thus, taking into consideration all possibilities, it would appear that the actions of the council were not illegal.

Respectfully,  
JOHN W. BRICKER,  
*Attorney General.*

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3198.

APPROVAL, CERTIFICATE OF AMENDMENT TO THE ARTICLES OF  
INCORPORATION OF THE GLOBE CASUALTY COMPANY.

COLUMBUS, OHIO, September 12, 1934.

HON. GEORGE S. MYERS, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—I have examined the certificate of amendment to the articles of incorporation of The Globe Casualty Company, and finding the same not to be inconsistent with the Constitution and laws of the United States or of the State of Ohio, I have endorsed my approval thereon.

Respectfully,  
JOHN W. BRICKER,  
*Attorney General.*

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3199.

APPROVAL, CONTRACT BETWEEN DIRECTOR OF HIGHWAYS AND  
THE BUCKEYE PIPE LINE COMPANY WHICH RELATES TO THE  
ACQUIRING OF CERTAIN RIGHTS IN THE IMPROVEMENT OF S  
H. NO. 22, ALLEN COUNTY.

COLUMBUS, OHIO, September 12, 1934.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted a contract by and between you, as Director of Highways, and The Buckeye Pipe Line Company, which relates to the acquiring of certain rights of way in connection with the improvement of S. H. (I. C. H.) No. 22, Section L-4, Allen County.

Finding said contract in proper legal form, I have accordingly endorsed my approval thereon and return the same herewith.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

3200.

TEACHERS—BOARD OF EDUCATION MAY ADOPT RULE PROHIBITING MARRIAGE OF WOMEN TEACHERS DURING TERM OF CONTRACT.

SYLLABUS:

1. *When a board of education adopts a reasonable rule for the government of teachers in its employ, and thereafter enters into contracts of employment with teachers who have or should have knowledge of such rule, such rule is a part of the teacher's contract the same as though expressly rewritten therein.*

2. *When a board of education has adopted a rule that any single female teacher who marries during the life of her contract will automatically forfeit her rights under such contract, such rule is not contrary to public policy and is within the legal powers of the board of education.*

COLUMBUS, OHIO, September 13, 1934.

HON. B. O. SKINNER, *Director of Education, Columbus, Ohio.*

DEAR SIR:—I am in receipt of your request for my opinion on the following question:

“The Board of Education of the D. City School District, D., Ohio, has adopted a rule to the effect that when a woman teacher marries this automatically cancels her contract. A member of the board has raised the question as to whether or not this is legal. Will you kindly advise us whether or not an Attorney General's opinion or court decision has been made relative to this matter?”

I am also in receipt of a similar request from the Prosecuting Attorney of Sandusky County, which reads:

“The Board of Education of one of the rural school districts of Sandusky County, Ohio, adopted a resolution April 6, 1931, by unanimous vote that ‘any single teacher who gets married during the life of her contract will automatically forfeit her contract.’

Under date of July 14, 1934, this Board of Education entered into a contract with an unmarried lady teacher. Said contract containing the following language: ‘and also (the teacher) agrees to abide with the rules and regulations of the schools of said school district, and the Sandusky County School District.’ At the time this contract was entered into the teacher was informed of the resolution above referred to. About four weeks later she married.