

bond by the city treasurer for the custody of the school funds, which in some of these city school districts run into millions. It would appear too that if the General Assembly desired that the city treasurer should perform the duties of the treasurer of the city school district, handling large sums in addition to his municipal financial transactions, the General Assembly more than likely by other legislation would have provided for the remuneration of the city treasurer in assuming these duties. None of these things were done. At the present time the office of clerk of the board of education in these city school districts has become so important, after assuming the duties of treasurer also, that all the boards of education have provided a salary for the clerk sufficiently large to remunerate him for his duties as "clerk-treasurer" (4782) and greatly increased his bond. These city boards of education organized in January, 1922, by electing a person to be clerk of the board, fixed his term, fixed his salary, and fixed his bond as clerk-treasurer, as they had done for a number of years before, understanding when they elected him as clerk that under 4782 G. C. he was also the treasurer of the city school district. To hold that these city school districts would now have to change their treasurer because certain language inadvertently appeared in a section of a bill passed, *the subject of which was conditions in rural and not urban communities*, would create a chaotic condition in the school affairs of the city school district which was hardly intended by the General Assembly when it passed H. B. 180, an act "relative to the creation of exempted village school districts."

Based upon the sections of the law stated and the facts given, you are therefore advised that it is the opinion of this department that the amendment of section 4763 G. C., as amended in H. B. 180, 109 O. L., 552, does not have the effect of giving new life to the provisions that the treasurer of a city shall be the treasurer of such city school district, because the General Assembly did not intend in the passing of an act "relative to exempted village school districts" that section 4763 G. C. should be a substitute for the provisions of 4782 and 7604 et seq. G. C. In a city school district the duties of treasurer of the school funds shall be performed by the clerk of the board of education of the city school district.

Respectfully,
 JOHN G. PRICE,
Attorney-General.

2845.

APPROVAL, BONDS OF BELMONT COUNTY, OHIO, IN AMOUNT OF
 \$36,400 FOR ROAD IMPROVEMENTS.

COLUMBUS, OHIO, February 7, 1922.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.