

910.

APPROVAL, BONDS OF GEAUGA COUNTY, OHIO—\$19,000.00.

COLUMBUS, OHIO, August 24, 1927.

Retirement Board, State Teachers' Retirement System, Columbus, Ohio.

911.

COUNTY COMMISSIONERS—MAY NOT LAWFULLY APPROPRIATE
PUBLIC FUNDS TO PAY OBLIGATION INCURRED BY DONORS TO
AID IN CONSTRUCTION OF MEMORIAL HALL.

SYLLABUS:

County commissioners may not lawfully appropriate public funds to pay the obligation incurred by donors to aid in the construction of a Memorial Hall.

COLUMBUS, OHIO, August 24, 1927.

HON. CHARLES DONALD DILATUSH, *Prosecuting Attorney, Lebanon, Ohio.*

DEAR SIR:—Receipt is acknowledged of your letter of recent date which reads as follows:

“There is located in the village of Lebanon, Warren county, Ohio, a structure known as Memorial Hall, which is used as an assembly hall for all the patriotic organizations in this community.

The funds which enabled the erection of this structure were derived from taxation and from contributions. The history of its erection is peculiar, and I am enclosing herewith, under separate cover, a history of the erection of this hall, which Judge Willard J. Wright requested of me in 1923.

As set forth therein, after the board of county commissioners of Warren county, Ohio, had expended the fund derived from taxation, and after the funds received from contributions had been expended by the board of trustees, it was still necessary to borrow about \$3,000.00 to complete the hall.

The local post of the American Legion borrowed this money from the bank, and about thirty business men in town guaranteed its payment. Two thousand dollars of this amount has not been paid and the bank now contemplates calling the note, and as the local Post of the American Legion is unable to pay this note, the guarantors will be compelled to do so unless the second paragraph of section 14848, the last sentence of section 14849-2 and the fourth paragraph of Section 14849-5 may be construed as granting to the board of county commissioners the authority to pay off at least \$1,500.00 of this obligation.