

2457.

APPROVAL, REFUNDING BONDS OF DEFIANCE CITY SCHOOL DISTRICT IN AMOUNT OF \$40,000.

COLUMBUS, OHIO, October 8, 1921.

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

2458.

SUPERINTENDENT OF PUBLIC INSTRUCTION—NOW DIRECTOR OF EDUCATION—SALARY DETERMINED.

*The present incumbent of the office of superintendent of public instruction who was appointed for a term of four years, beginning April 6, 1920, is entitled to receive an annual salary of \$6,500 from July 1, 1921, to the end of his present term of office.*

COLUMBUS, OHIO, October 10, 1921.

HON. HARRY L. DAVIS, *Governor of Ohio, Columbus, Ohio.*

MY DEAR GOVERNOR:—Your letter of recent date inquiring whether or not Hon. Vernon M. Riegel, who was appointed superintendent of public instruction on April 6, 1920, for a term of four years, is entitled to receive the salary of \$6,500 provided for in section 2250 G. C., as amended by the recent administrative code, was duly received.

For several years prior to the second Monday in July, 1913, the effective date of section 4, article VI, Ohio constitution, hereinafter quoted, there was in existence the statutory office of state commissioner of common schools. This office, which was an elective one, was created as early at least as March 14, 1853. See 51 O. S. 446, section 47; section 354 R. S. of 1880; section 352 G. C. of 1910.

During all that time the salary of the state commissioner of common schools was fixed by statute. See 51 O. L. 448, section 57; section 1284 R. S. of 1880; section 2248 G. C. of 1910. The statute (section 2248 G. C.) fixing the salary, and in effect at the time section 4, article VI, Ohio Constitution, became effective, so far as pertinent, read as follows:

“The annual salaries of the elective executive officers of the state shall be as follows: \* \* \* State commissioner of common schools, four thousand dollars.”

On September 3, 1912, the people of Ohio adopted section 4, article VI, Ohio Constitution, providing for the appointment by the governor of a superintendent of public instruction to replace the state commissioner of common schools, as follows:

“A superintendent of public instruction to replace the state commissioner of common schools, shall be included as one of the officers of the executive department to be appointed by the governor, for the term of four years, with the powers and duties now exercised by the