

and accounted for by the judge and clerk in the same manner as provided for a mayor under the provisions of section 4270 of the General Code."

Section 13429, General Code, reads:

"Fines collected by a justice of the peace shall be paid into the general fund of the county where the offense was committed within thirty days after collection unless otherwise provided by law."

Section 12378, General Code, reads:

"Unless otherwise required by law, an officer who collects a fine shall pay it into the treasury of the county in which such fine was assessed, to the credit of the county general fund within twenty days after the receipt thereof, take the treasurer's duplicate receipts therefor and forthwith deposit one of them with the county auditor."

I find no provision of the Code that fines under the sections quoted in your letter shall be paid into any special fund. The sections above quoted provide for the payment of such fines into the county treasury.

In view of the above, I am of the opinion that fines for violations of sections 614-84 to 614-102, General Code, inclusive, are payable into the treasury of the county wherein such fine is levied, unless the law establishing a municipal court, in which such a case is tried, should otherwise provide.

Respectfully,

C. C. CRABBE,  
*Attorney General.*

2515.

SCHOOL GROUNDS MAY BE USED FOR CARRYING ON RECREATIONAL PROGRAM SUBJECT TO LIMITATIONS OF SECTIONS 7622-1 AND 7622-3 G. C.

*SYLLABUS:*

*A school district joining with a city in equipping and maintaining play grounds as provided in section 4065-5 of the General Code may permit, under the limitations provided in sections 7622-1 and 7622-3, the use of the school grounds adjacent to the several school buildings of such district for the carrying on of a recreational program.*

COLUMBUS, OHIO, May 23, 1925.

*Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.*

GENTLEMEN:—This will acknowledge receipt of your communication of recent date in which you submit the following inquiry:

"May a school district wishing to join with a city in equipping and maintaining play grounds, permit the use of school property, i. e., lands surrounding school buildings, for such purpose?"

I note also your reference to section 4065-1 of the General Code, which in effect

authorize cities, villages and counties to acquire, use and maintain lands and buildings for play grounds, recreation purposes, etc., when such lands or buildings owned by such cities, villages and counties are not dedicated or devoted to other public uses. Also section 4065-5 General Code which authorizes any school district to join with any city in equipping, operating and maintaining play grounds, etc.

Further, in connection with your inquiry, your attention is directed to the provisions of the following sections of the General Code.

Sections 7622, 7622-1, 7622-1a, 7622-2, 7622-3, 7622-5 and 7622-6 provide for and regulate to a considerable extent the use of school property for other than school purposes. Particularly section 7622-1 provides in effect that upon application of any responsible organization, or of a group of at least seven citizens, all school grounds and school houses shall be available for use as social centers for the education and entertainment of the people, including the adult and youthful population. Such occupation, however, shall not seriously infringe upon the original and necessary uses of such properties. Also section 7622-3 which provides in effect that the board of education of any school district shall upon request and the payment of the proper janitor fees, subject to such regulations as may be adopted by such board, permit the use of any school house and rooms therein and grounds and other property under its control, when not in actual use for school purposes, for any of the following purposes. And among the purposes enumerated are the following:

“For holding educational, civic, social or recreational meetings and entertainments, and for such other purposes as may make for the welfare of the community. Such meetings and entertainments shall be non-exclusive and open to the general public.”

Section 7622-4 makes provision whereby the board of education may employ a person or persons to supervise, organize and direct recreational work in such school district. Particular attention is directed to the provisions of section 7622-5, General Code, which provides as follows:

“In cities employing a person to direct and supervise social and recreational work such person may use the school buildings, grounds, and other public buildings, or grounds in such city for the purposes indicated in section 7622-3 of the General Code subject to the limitations provided in sections 7622-1 to 7622-3 of the General Code.”

The provisions of the General Code above referred to clearly evidence the intention of the legislature to provide for a general program of recreational activities throughout the state, and to have such recreational activities carried on under the supervision of the cities, villages and counties as mentioned in section 4065-1, and that school districts should co-operate in such recreational activities. This is clearly indicated by the provisions of section 4065-5 General Code which authorizes any school district to join with any city in such recreational activities.

Section 7622, General Code, et seq., clearly evidences the intention of the legislature to permit, and under certain conditions therein set forth, to require that school grounds and school property be used in connection with such recreational activities.

Section 7622-5 is particularly in point in answer to your inquiry. This section provides that cities providing a program of recreational activities and providing supervision of the same, may use school buildings, grounds and other public buildings or grounds in said city for such recreational purposes, subject, of course, to the limitations imposed by the board of education in question.

Therefore, in answer to your inquiry, I am of the opinion that a school district

joining with a city in equipping and maintaining play grounds may permit, under the limitations provided in section 7622-1 and 7622-3 the use of the school grounds adjacent to the several school buildings of such district for the carrying on of a recreational program.

Respectfully,  
C. C. CRABBE,  
*Attorney General.*

2516.

APPROVAL, SYNOPSIS OF A PROPOSED LAW SET FORTH IN THE INITIATIVE PETITION RELATING TO THE ESTABLISHMENT OF AN OHIO STATE POLICE.

COLUMBUS, OHIO, May 23, 1925.

DAY, CORRIGAN & DAY, *Attorneys-at-Law, Cleveland, Ohio.*

GENTLEMEN:—You have submitted for my approval, under the provisions of section 5175-29e, a synopsis of a proposed law set forth in the initiative petition relating to the establishment of an Ohio state police. You further submit a copy of the proposed initiative petition. Said synopsis reads:

“To provide for the establishing of the Ohio state police, consisting of two hundred and twenty (220) state police designated as troopers and including the necessary officers for the purpose of co-operating with local authorities throughout the state in detecting crime, apprehending criminals, repressing riots, directing traffic and preserving law and order throughout the state of Ohio and to empower the general assembly to make the necessary appropriations for the functioning of the Ohio state police.”

I, C. C. Crabbe, attorney general of the state of Ohio, do hereby certify that the foregoing synopsis is a true statement of the contents and purpose of the proposed law set forth in the initiative petition considered herein.

Respectfully,  
C. C. CRABBE,  
*Attorney General.*

2517.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE LONGENECKER CONSTRUCTION COMPANY, OF GREENVILLE, OHIO, FOR CONSTRUCTION AND COMPLETION OF THE REMODELING OF THE STATE OWNED ARMORY AT EATON, OHIO, AT COST OF \$14,670.00. SURETY BOND EXECUTED BY THE UNITED STATES FIDELITY AND GUARANTY COMPANY.

COLUMBUS, OHIO, May 26, 1925.

HON. FRANK D. HENDERSON, Adjutant General, Columbus, Ohio.

DEAR SIR:—You have submitted for my approval a contract between the state of Ohio, acting by the adjutant general, and the Longenecker Construction Company,