

hands of such board of education to the extent of the amount so ordered to be paid, even though the order may not become effective until a later date.

Inasmuch as a school district in the purchase of equipment or property of any kind must before making a contract for such purchase procure the certificate of its fiscal officer that the money required to meet said contract has been appropriated and is in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances, as provided by Section 5625-33, General Code, the board could not lawfully make expenditures from any funds which had been previously ordered paid to another board of education, by reason of the making of an equitable distribution of the funds of the district between said district and another district which had recently acquired a portion of its territory. If, however, its funds are not encumbered by such an order or otherwise, it may use them as it sees fit in the purchase of supplies, limited only by the provisions of law with reference to making such purchases.

Third, a newly created school district, created by authority of Section 4736, General Code, does not have title or any interest in the personal property of another school district from whose territory it was carved, except in the school funds belonging to said district, and then only to the extent that it is given an interest therein by the county board of education in making an equitable division of funds between such districts.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

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2474.

APPROVAL, BONDS OF GUERNSEY COUNTY, OHIO—\$46,440.00.

COLUMBUS, OHIO, August 22, 1928.

*Industrial Commission of Ohio, Columbus, Ohio.*

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2475.

BOILER—OPERATION OF STATIONARY STEAM BOILER BY LICENSED  
ENGINEER—COMPULSORY—EXCEPTIONS.

*SYLLABUS:*

1. *By the terms of Section 1047, General Code, it is unlawful for any person to operate a stationary steam engine of more than thirty horse power unless such person first obtain a license therefor as provided by Section 1048, General Code.*

2. *By the terms of Section 1047, General Code, it is unlawful for any owner, user or agent of an owner of any stationary steam engine of more than thirty horse power to permit such engine to be operated unless it is directly in charge of a duly licensed steam engineer.*