

This fund shall be expended upon the order of the prosecuting attorney in the manner prescribed by section 3004 of the General Code."

If the money provided for by section 3004 cannot be used for these purposes, it follows that the money provided for by section 3004-1 cannot be so expended. The latter section provides for the expenditure of money additional to that available under the former section in case of emergency only when the funds provided for by the former section are insufficient. Hence section 3004-1, so far as the uses for which it can be expended are concerned, can have no broader scope than section 3004, General Code.

I am therefore of the opinion that where the judge or judges of the common pleas court of a county have fixed the aggregate amount to be expended by the prosecuting attorney for assistants, clerks and stenographers, the prosecuting attorney may not pay out of the funds received by him, under the provisions of sections 3004 and 3004-1, General Code, an additional amount to his assistants and stenographers.

Respectfully,  
JOHN W. BRICKER,  
*Attorney General.*

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1176.

APPROVAL, NOTES OF GALLIPOLIS CITY SCHOOL DISTRICT, GALLIA COUNTY, OHIO, \$14,185.00.

COLUMBUS, OHIO, July 27, 1933.

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

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1177.

APPROVAL, NOTES OF BELMONT VILLAGE SCHOOL DISTRICT, BELMONT COUNTY, OHIO, \$6,815.00.

COLUMBUS, OHIO, July 27, 1933.

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

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1178.

APPROVAL, NOTES OF SOMERSET-READING VILLAGE SCHOOL DISTRICT, PERRY COUNTY, OHIO, \$5,914.00.

COLUMBUS, OHIO, July 27, 1933.

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