

the superintendent shall receive a certain percentage of the foreign tuition collected, for the reason that such payment would not be a "fixed" salary as intended by section 7690 of the General Code, and such superintendent is not a bonded employe of the district.

(2) The duty of receiving school funds is imposed upon the treasurer of the school district and under the provisions of section 7682 G. C. (109 O. L., 373) all money received for tuition from foreign districts shall in all cases, upon its receipt, be placed in the tuition fund.

Respectfully,
 JOHN G. PRICE,
Attorney-General.

3141.

APPROVAL, TRANSCRIPT OF PROCEEDINGS, PROPOSED SALE OF BERME EMBANKMENT OF OHIO CANAL IN CITY OF MASSILLON, CONTAINING 1183 SQUARE FEET MORE OR LESS—AUTHORITY OF SPECIAL ACT, 108 O. L., 280.

COLUMBUS, OHIO, May 26, 1922.

Department of Highways and Public Works, Division of Public Works, Columbus, Ohio.

GENTLEMEN:—Your letter of May 8, 1922, was duly received, submitting for the attention of this office a transcript of your proceedings in respect to the proposed sale to William K. Atwater and Charles M. Atwater of a portion of the Berme embankment of the Ohio canal in the City of Massillon, containing one thousand, one hundred eighty-three (1,183) square feet, more or less.

The sale in question is proposed to be made under authority of a special act passed April 17, 1919, and appearing in 108 O. L., Part I, p. 280.

I note that you have appraised the property at \$1,183.00.

Finding as I do that your proceedings as shown by the transcript are in conformity with the terms of the special act above mentioned, I am joining with you in the resolutions for the sale and I am returning the duplicate transcript with my signature appended thereto.

Respectfully,
 JOHN G. PRICE,
Attorney-General.

3142.

APPROVAL, CONTRACT OF STATE OF OHIO WITH E. L. BRUEGGMAN, AKRON, OHIO, FOR ADDITIONAL WORK IN CONSTRUCTION OF WASTEWAY AT EAST RESERVOIR.

COLUMBUS, OHIO, May 26, 1922.

Department of Highways and Public Works, Division of Public Works, Columbus, Ohio.

GENTLEMEN:—Your letter of May 18, 1922, was duly received, submitting for the attention of this office a contract in triplicate proposed to be entered into by

your department with E. L. Brueggeman of Akron, Ohio, for additional work in connection with a contract entered into with Mr. Brueggeman under date January 16, 1922, for the construction of a waste-way at East Reservoir near Akron, Ohio.

I note that the additional work has become necessary by reason of a public highway over a portion of the embankment and on account of a very soft bottom which has been found to exist underneath the embankment. The additional work is a small amount of additional excavation, concreting and piling.

I note also that the cost of the extra work will be three hundred thirty-eight and 80-100 dollars (\$338.80) and that the prices stipulated are the same as those obtained by competitive bidding in the original contract. I also note that there is furnished with the papers, the certificate of the director of finance, dated May 23, 1922, showing funds available for the contract in the sum of \$338.80.

Finding as I do that your proceedings have been in all respects in conformity to law, I advise you that upon the signing of the contract by Mr. Herrick as director of highways and public works it will become binding upon the state and Mr. Brueggeman. I am returning the triplicate form of contract with my approval endorsed thereon.

Respectfully,
JOHN G. PRICE,
Attorney-General.

3143.

APPROVAL, BONDS OF ALLEN COUNTY IN AMOUNT OF \$49,400 FOR ROAD IMPROVEMENTS.

COLUMBUS, OHIO, May 26, 1922.

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

3144.

APPROVAL, BONDS OF ALLEN COUNTY, \$67,500, FOR ROAD IMPROVEMENTS.

COLUMBUS, OHIO, May 26, 1922.

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

3145.

APPROVAL, BONDS OF ALLEN COUNTY, \$9,750, FOR ROAD IMPROVEMENTS.

COLUMBUS, OHIO, May 26, 1922.

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