

sary running expenses of the state and the improvements for which appropriations were made.

* * * * *

While there is no comma after the phrase in Section 12 of House Bill 502, supra, reading 'no monies herein appropriated or reappropriated for the purchase of real estate,' in view of the fact that the General Assembly has for the past several years required the approval of the Controlling Board before the expenditure of any monies appropriated for the purchase of real estate, regardless of amount, it is my opinion that such section should be construed as though a comma were placed after the words 'real estate.' That is to say, the section should be read to mean that no monies whatever, appropriated or reappropriated in the act in question, should be expended for the purchase of real estate without the consent and approval of the Controlling Board and that no monies therein appropriated or reappropriated should be spent for the construction of new buildings or new structures or other public improvements to cost in excess of five thousand dollars."

In view of the plain provisions of Section 12, it is clear that none of the monies appropriated in the appropriation item, supra, may be spent for the purchase of the Morris farm or any other real estate until the consent and approval of the Controlling Board has first been obtained.

For the reasons above set forth, I am retaining the abstract of title and other papers submitted with your letter of October 12th until such time as proper evidence is furnished this department to the effect that the committee provided for in the appropriation item under consideration has been duly appointed, and until the Controlling Board has given its consent and approval to the expenditure of the funds appropriated for the purchase of real estate.

Respectfully,
EDWARD C. TURNER,
Attorney General.

1146.

APPROVAL, BONDS OF THE CITY OF NILES, TRUMBULL COUNTY,
OHIO—\$3,500.00.

COLUMBUS, OHIO, October 14, 1927.

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

1147.

COUNTY COMMISSIONERS—AUTHORITY TO BUILD ROADS AND
BRIDGES WITHIN LIMITS OF MUNICIPAL CORPORATION.

SYLLABUS.

1. A board of county commissioners may lay out and establish a county road over a street already established within the limits of a municipal corporation, if such street be a