

An examination of the above 1928 opinion, as well as of the reasoning upon which it is based, leads me to re-affirm the conclusion reached in that opinion. In reaching this conclusion, I am aware of the opinion to be found in Opinions of the Attorney General for 1934, Volume III, page 1915, wherein it was held that a board of education might lawfully protect itself by effecting burglary or robbery insurance on funds in the hands of the director of a cafeteria which had been established by the board of education. However, that opinion is clearly distinguishable in that there was no other way the board of education could protect itself, since it could not require a bond from the director of the cafeteria. In the present situation the subdivisions might protect themselves by requiring the officers in charge of these funds to give adequate bond.

In view of the above, and without prolonging this discussion, it is my opinion in specific answer to your inquiry, that townships and villages are unauthorized to expend public funds for burglary or robbery insurance to protect securities hypothecated to a township or village by a bank to guarantee deposits of public funds. Opinions of the Attorney General for 1928, Volume III, page 1933, discussed and followed.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5133.

APPROVAL—BONDS OF VILLAGE OF WILLOWICK, LAKE COUNTY, OHIO, \$9,000.00

COLUMBUS, OHIO, February 1, 1936.

Industrial Commission of Ohio, Columbus, Ohio.

5134.

APPROVAL—BONDS OF CITY OF TOLEDO, LUCAS COUNTY, OHIO, \$10,000.00.

COLUMBUS, OHIO, February 1, 1936.

State Employees Retirement Board, Columbus, Ohio.