

money is available for the payment of final judgments rendered in an action for personal injuries or other non-contractual obligations, see Section 2293-3, General Code.

I do not think that the provisions of Section 4759, General Code, apply to the situation presented by your communication, namely, the attachment of money due to a third person in the hands of the board of education of which the board has possession for one purpose only, namely, delivery to the teacher. The evident purpose of Section 4759 is to prevent the seizure of property used in the administration of the schools and consequent interference with such governmental function and it is apparent that the allowing of the attachment in the instant situation will not do violence to the provisions of such section.

In view of the foregoing and in specific answer to your inquiry, I am of the opinion that money in the hands of a board of education, due and payable to a teacher employed by it, is subject to garnishment.

Respectfully,

GILBERT BETTMAN,
Attorney General.

4546.

APPROVAL, CONTRACT FOR ROAD IMPROVEMENT IN GUERNSEY COUNTY.

COLUMBUS, OHIO, August 5, 1932.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

4547.

APPROVAL, LEASE TO STATE RESERVOIR LANDS AT BUCKEYE LAKE, OHIO, TO FRANK J. MILLAY, SECRETARY AND TREASURER OF OHIO FISHING CLUB, FOR RIGHT TO USE FOR COTTAGE SITE AND DOCKLANDING PURPOSES.

COLUMBUS, OHIO, August 5, 1932.

HON. I. S. GUTHERY, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of a recent communication from the Conservation Commissioner submitting for my examination and approval a certain reservoir land lease executed by the Conservation Commissioner, by the terms of which instrument there is leased and demised to one Frank J. Millay, Secretary and Treasurer of the Ohio Fishing Club, the right to use and occupy for cottage site and dock land purposes, for a term of fifteen years, the inner slope and waterfront and state land in the rear thereof, that is included in Embankment Lot No. 1 west of the waste-gates at Buckeye Lake, as laid out by the Ohio Canal Commission in 1905, and being that part of the Southeast Quarter of Section 14, Township 17, Range 18, Licking County, Ohio, that was leased by the State of Ohio to D. M. Lasley and Harry S. Calkins by lease dated September 9, 1902.