

## OFFICIAL OPINION NO. 54

June 22, 1945.

Hon. Harold F. Brigham,  
Director Indiana State Library,  
140 North Senate Avenue,  
Indianapolis, Indiana.

Dear Mr. Brigham:

I have your letter of recent date in which you request an official opinion upon the following question:

“The Appropriation Act contains a supplementary item in the budget of the Superintendent of Buildings and Property as follows:

“ ‘For repairs, cleaning and interior decorating for the State Library building available April 1, 1945, five thousand eight hundred dollars (\$5,800).’

“\* \* \*

“Since it will be impossible under existing conditions to expend more than a small part of the total amount before June 30 of this year we are anxious to know if the unexpended balance may be available to the Superintendent of Buildings and Property for the purposes specified in the coming biennium, or whether the balance will automatically revert to the general fund.”

From the express wording of the appropriation cited above in your question it is obvious that it was the intention of the Legislature to make this appropriation for a specific purpose, namely, to clean, repair and decorate the interior of the Indiana State Library. While the appropriation is made available April 1, 1945, it is significant that no date is specified for the expiration of the appropriation.

Accordingly, since the appropriation is made for a specific purpose and no limitation date was set for the expiration, it is my opinion that although the appropriation was made available April 1, 1945, it would continue to be available during the coming biennium and would not automatically revert to the general fund until the end of said biennium.

I am also informed that this appropriation has been set up by the Auditor to make it available as of April 1, 1945, and to continue to be available during the coming biennium until the job for which the appropriation was made is finished.

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OFFICIAL OPINION NO. 55

June 25, 1945.

Hon. Clement T. Malan,  
State Superintendent of Public Instruction,  
State House,  
Indianapolis 4, Indiana.

Dear Dr. Malan:

Your letter of April 19, 1945, received requesting an official opinion on the following question:

“A township has two small high schools, grades 9-12, both of which are under the jurisdiction of the township trustee. Does the township trustee have authority to consolidate these two high schools?”

Section 28-2410 Burns' 1933, same being Section 1, Chapter 192, Acts 1899, as amended by Section 1, Chapter 224, Acts 1901, provides as follows:

“The school trustees shall take charge of the educational affairs of their respective townships, towns and cities. They shall employ teachers, establish and locate conveniently a sufficient number of schools for the education of children therein, and build, or otherwise provide, suitable houses, furniture, apparatus and other articles and educational appliances necessary for the thorough organization and efficient management of said schools. Such school trustees may also establish and maintain in their respective corporations, as near the center of the township as seems wise, at least one (1) separate graded high school, to which shall be admitted all pupils who are sufficiently advanced:

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