

SCHOOL BOARD CAN'T BUILD NOW

Injunction Against Erecting New Building Issued by Judge Kunkle.

After arguments were submitted on the application for an injunction in the case of Samuel Detrick and others against the board of education of Bethel township this morning in common pleas court, Judge Kunkle granted a temporary restraining order preventing the board from making any contract for demolishing the old school building at Olive Branch in preparation for the erection of a new high school building on the site.

The application for an injunction was filed late last evening. The prayer of the petition contained the allegation that the board of education had advertised for bids for the demolishing of the old school house at Olive Branch with the intention of erecting a new one in its place, said bids to be opened today at 1:30 o'clock.

The Charges.

Continuing the petition states that from 75 to 85 percent of the taxpayers of the township are opposed to the improvement on the grounds that provisions had been made for expending from \$15,000 to \$20,000 for the building when it is known that there is but \$4,794.07 in the building fund with the sum of \$4,500 anticipated in the June settlement of taxes.

The claim was made that the present building is in fair condition and that a new building is not necessary but that a wing should be added to the present school to provide for more pupils.

During the arguments this morning, the contention was made by the attorney for the defendant that the petition does not state sufficient cause for action, that it contains statements that are not true inasmuch that it is not proposed to expend \$15,000 for a new building.

The case, however, was not being heard on the causes of action but on the petition itself and the court in deciding to allow the temporary restraining order suggested that a motion for the dismissal of the petition could be filed on the grounds that it does not state sufficient cause for action. This will be done possibly today or tomorrow when a date will be set for hearing.