

2394.

DISAPPROVAL, BONDS OF AVON VILLAGE SCHOOL DISTRICT,
LORAIN COUNTY, \$5,000.00

Re: Bonds of Avon Village School District, Lorain County, \$5,000.00.

COLUMBUS, OHIO, April 20, 1925.

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

GENTLEMEN:—I have examined the transcript for the foregoing issue of bonds and find that the financial statement as shown by the transcript recites that the tax duplicate for the Avon Village School District is \$2,329,075.00 for 1924.

These bonds are being issued under the provisions of section 7629, General Code, without a vote of the electors of the school district. Said section provides in part as follows:

“The board shall pay such bonds and the interest thereon when due, but provide that no greater amount of bonds be issued in any year than would equal the aggregate of a tax at the rate of two mills, for the year next preceding each issue.”

It will therefore be observed that under the limitations as provided by this statute, the total amount of bonds that can be issued under the provisions of this section and based upon the tax valuation as submitted would be \$4,650.00. The board of education has therefore exceeded its authority in the issuance of the foregoing bonds in the total sum of \$5,000.00, and to the extent of the amount in excess of that permitted by the statute, said bonds will be illegal, and you are therefore advised not to purchase said bonds.

Respectfully,

C. C. CRABBE,
Attorney-General.

2395.

DISAPPROVAL, BONDS OF MONDAY CREEK TOWNSHIP RURAL
SCHOOL DISTRICT, PERRY COUNTY, \$18,000.00.

Re: Bonds of Monday Creek Township Rural School District, Perry County, \$18,000.00.

COLUMBUS, OHIO, April 20, 1925.

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

GENTLEMEN:—This issue of bonds has been made under the provisions of section 7630-1, General Code. The transcript as submitted contains a school order purporting to prohibit the use of the old school building, but the order as shown by the transcript does not contain the signature of any officer approving the same.

In the case of Schwartz, et al. vs. Board of Education of Carlisle Township Rural School District, the Court of Appeals of the 9th District, Lorain County, on December 22, 1923, rendered a decision holding that such order must be signed by the Director of the Department of Industrial Relations, accompanied by the seal of his office, as required by the statute in cases providing for the issuance of such order.