

States and recognized as a standard authority in existence and general use at the time the Pure Drug Statute was enacted, was to be considered, or whether a United States Pharmacopoeia in existence at the time of the prosecution which was at variance with the one in existence at the time of the adoption of the statute was to be considered. The court concluded that the "United States Pharmacopoeia" referred to in the Pure Drug Statute under consideration in that case was the edition in general use and in existence when the statute was enacted and not some later edition of such Pharmacopoeia. At page 369, the court said:

"The reference in the statute to the United States Pharmacopoeia, could be to no other than the edition of the book in use and recognized when the statute was enacted and went into effect, which was the edition known as that of 1880. It is not to be supposed that the legislature intended to adopt, by reference, as part of the penal laws of the State, an edition of the book not then in existence, and of the contents of which the legislature could then have no knowledge."

It is not the function of this office or of the courts of this state to be concerned with the wisdom of legislation, and it would seem that if your department desires to adhere to the present National Electric Code, proper legislation be submitted to the General Assembly for the purpose of amending Section 12600-35, General Code, so that materials and installation shall be required to be in compliance with the later Electric Code rather than the one mentioned in that section.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

3364.

APPROVAL, BONDS, EDINBURG TOWNSHIP RURAL SCHOOL DISTRICT, PORTAGE COUNTY, OHIO, \$35,000.00, DATED OCTOBER 15, 1938.

COLUMBUS, OHIO, December 13, 1938.

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

GENTLEMEN:

RE: Bonds of Edinburg Township Rural School Dist.,  
Portage County, Ohio, \$35,000.00 (Unlimited)

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise all of an issue of school building bonds dated October 15, 1938, bearing interest at the rate of  $3\frac{1}{4}\%$  per annum.

From this examination, in the light of the law under authority of which these bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute valid and legal obligations of said school district.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

3365.

APPROVAL, BONDS, FREEDOM TOWNSHIP RURAL SCHOOL DISTRICT, PORTAGE COUNTY, OHIO, \$30,000.00, DATED OCTOBER 15, 1938.

COLUMBUS, OHIO, December 13, 1938.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*  
GENTLEMEN:

RE: Bonds of Freedom Township Rural School Dist.,  
Portage County, Ohio, \$30,000.00 (Unlimited)

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise all of an issue of school building and equipment bonds dated October 15, 1938, bearing interest at the rate of  $3\frac{1}{4}\%$  per annum.

From this examination, in the light of the law under authority of which these bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute valid and legal obligations of said school district.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*