

above bond issue, and decline to approve the validity of said bonds for the following reasons:

1. Said bonds in the sum of \$8,633.63 are contemplated to be issued for the purpose of taking up past due obligations of said village and constitute extension bonds issued under section 3916 of the General Code. The past due obligations for which said bonds are to be issued consist of notes given by said village to the Rittman Savings Bank, Rittman, Ohio, and bear dates of August 3, 1915; September 16, 1915; November 2, 1912, and December 8, 1915, and amount to \$8,144.93.

2. By the amendment of section 3916 and the enactment of sections 2295-7 et seq. G. C. as provided in 109 O. L., 336, it would appear that the only indebtedness that can now be refunded under the existing laws at this time is bonded indebtedness incurred prior to January 1, 1913. As this indebtedness has been incurred subsequent to that time, I am therefore of the opinion that said bonds are not valid and binding obligations of said village and advise that you decline to accept the same.

There are other defects apparent in the transcript, which it is not necessary to itemize, as for the reason above given the bonds should be declined.

Respectfully,

C. C. CRABBE,

Attorney-General.

8.

DISAPPROVAL, BONDS OF CITY OF LIMA, ALLEN COUNTY, \$21,900,
FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, January 17, 1923.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

Re: Bonds of City of Lima, Allen County, \$8,300, Ewing Avenue Paving Refunding Bonds No. 3—\$13,600, Holmes Street Paving Refunding Bonds No. 2.

GENTLEMEN:—The above bonds are described as refunding bonds but the transcript does not show what indebtedness is intended to be refunded. The proceedings as nearly as the same can be ascertained from the transcript filed provide for the improvement of certain streets by paving and cover a period of legislation beginning in 1917 and terminating in 1922. As far as it is apparent from the proceedings at hand no bonds have ever been issued.

I am compelled to disapprove the transcript for the reason that refunding bonds so issued would be contrary to the provisions of section 3916 as amended by 109 O. L., 339, in the enactment of section 2295-7 of the General Code.

If it is contemplated to provide for the issuance of bonds under section 3914 G. C. to cover the cost of this improvement, the transcript does not show such proceedings as would make a valid and binding obligation of the city.

For the reason stated, I am of the opinion that the bonds are not valid and binding obligations of the City of Lima and advise the Industrial Commission not to accept the same.

Respectfully,

C. C. CRABBE,

Attorney-General.