

The issuing of a permit is a discretionary power left to the good judgment of the board of health that they may protect the public. If the public health is not endangered and the demand for disinterment is for a reasonable purpose, such board of health may be expected to give the proper permit.

In *Fowble vs. Walker*, 4 O., 64, the court says:

“Sound discretion does not mean an arbitrary discretion but such as may be exercised without the violation of any principle of law.”

From the above considerations it is the opinion of this department that a body may be disinterred under General Code section 3467 during the months of April, May, June, July, August and September if a permit so to do has been first obtained from the local health department.

Respectfully,

JOHN G. PRICE,

Attorney-General.

2228.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENTS IN LAKE, HOCKING, HARDIN, ASHTABULA AND TRUMBULL COUNTIES.

COLUMBUS, OHIO, July 2, 1921.

Department of Highways and Public Works, Division of Highways, Columbus, Ohio.

2229.

APPROVAL, BONDS OF DILLONVALE VILLAGE SCHOOL DISTRICT IN THE AMOUNT OF \$20,000.

COLUMBUS, OHIO, July 2, 1921.

Industrial Commission of Ohio, Columbus, Ohio.

Re: Bonds of Dillonvale village school district in the amount of \$20,000, issued under section 7625 et seq. G. C., being 6 bonds of \$750 each, 1 bond of \$1,900, 1 bond of \$2,100, 5 bonds of \$2,000 each and 1 bond of \$1,500, 6 per cent.

GENTLEMEN:—I have examined the transcript of the proceedings of the board of education and other officers of Dillonvale village school district relative to the above bond issue, and find the same regular and in conformity with the provisions of the General Code.

I am of the opinion that said bonds, drawn in accordance with the legislation authorizing their issuance, will, upon delivery, constitute valid and binding obligations of said school district.

In approving the issue of \$20,000 under consideration I do not wish to be understood as at this time approving the purchase of the remaining \$30,000