

The transcript is otherwise deficient in information, but the defects referred to above are of such character that I am of the opinion that these bonds are not a valid and binding obligation of the city, and I therefore advise the Commission not to purchase the bonds.

Respectfully,  
C. C. CRABBE,  
*Attorney-General.*

45.

DISAPPROVAL, BONDS OF VILLAGE OF NORWICH, \$1,500.00, TO  
SUPPLY GAS OR ELECTRICITY FOR USE OF VILLAGE.

COLUMBUS, OHIO, February 5, 1923.

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

Re: Bonds of the Village of Norwich, \$1,500, for the purpose of  
supplying gas or electricity for the use of the village.

GENTLEMEN:—The transcript for the above bond issue states the proceedings are for the purpose of "the supplying of gas or electricity to a corporation," and no other provision or purpose is shown for the use of the money to be raised by the issuance of these bonds.

Section 3939, paragraph 12 of the General Code, gives authority to municipal corporations to issue bonds

"For erecting or purchasing gas works or works for the generation and transmission of electricity, for the supplying of gas or electricity to the corporation and the inhabitants thereof."

This statutory provision must be construed strictly, and the only purpose for which these bonds can be issued is for erecting or purchasing gas works or works for the generation and transmission of electricity, for the supplying of gas or electricity to the corporation and the inhabitants thereof, and any legislation merely providing for supplying of gas or electricity would be of such a broad and incomprehensible purpose that it would be without the intention of the statute and would be so indefinite and uncertain that I would question the validity and legality of the bond issue for that purpose alone when no provision is made as contemplated for the electricity, or purchasing of gas works or works for the generation and transmission of electricity, as that is the real intention of the statute and the only purpose for which the bonds can be issued as a valid and binding obligation of the village.

Feeling that it would be impossible to amend the legislation in this case to comply with the intention and meaning of the statute above referred to, I therefore advise the Commission not to purchase the bonds.

Respectfully,  
C. C. CRABBE,  
*Attorney-General.*