

Section 7630-1 of the General Code provides in part:

"If a school house is wholly or partly destroyed by fire or other casualty, or if the use of any school house for its intended purpose is prohibited by any order of the department of industrial relations, and the board of education of the school district is without sufficient funds applicable to the purpose, with which to *rebuild or repair such schoolhouse or to construct a new school house* for the proper accommodation of the schools of the district, and it is not practicable to secure such funds under any of the six preceding sections because of the limits of taxation applicable to such school district, such board of education may, subject to the provisions of section seventy-six hundred and twenty-six and seventy-six hundred and twenty-seven, and upon the approval of the electors in the manner provided by sections seventy-six hundred and twenty-five and seventy-six hundred and twenty-six issue bonds for the amount required *for such purpose.*"

It is, therefore, observed that the foregoing section does not make any provision for the issuance of bonds for the purpose of furnishing the school building.

On December 11, 1924, the bond resolution was passed by the board of education and provides for the issuance of \$245,000.00 in bonds for the construction of a fireproof school building. These bonds were issued for that purpose and by resolution of the board of education as passed on March 19, 1926, providing for the issuance of an additional \$5,000.00 of said building bonds.

In view of the fact that the proceedings indicate that only \$235,000.00 of the issue was to be used for the construction of a building and \$15,000.00 for furnishings, and the resolution in this form has been approved by the electors, I am of the opinion that there is no authority for this issue of bonds which will be in excess of the \$235,000.00 under authority of and proceedings under section 7630-1 of the General Code.

The school order as submitted in the transcript does not show the approval of the Director of the Department of Industrial Relations as required by statute.

For the foregoing reasons I cannot approve the validity of this additional issue in the sum of \$5,000.00 under the proceedings shown by the transcript, and you are advised not to accept the same.

Respectfully,
C. C. CRABBE,
Attorney General.

3556.

DISAPPROVAL, BONDS OF CITY OF DEFIANCE, DEFIANCE COUNTY,
\$5,110.00.

COLUMBUS, OHIO, July 29, 1926.

Re: Bonds of city of Defiance, Defiance County, \$5,110.00.

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

GENTLEMEN:—The foregoing bonds are issued by the city of Defiance for the purpose of paying the city's portion of the cost of certain street improvements.

The bond ordinance was passed on June 15, 1926, and provides for the first ma-

turity on September 1, 1928, and with four subsequent annual maturities.
Section 2295-12 G. C. provides:

"All bonds hereafter issued by any county, municipality, including charter municipalities, school district, township or other political subdivision, shall be serial bonds maturing in substantially equal semi-annual or annual installments. If issued with semi-annual maturities the first installment shall mature not earlier than the first day of March next following the fifteenth day of July next following the passage of the ordinance or resolution authorizing such bonds; and if issued with annual maturities, the first installment shall mature not earlier than the first day of the second September next following said fifteenth day of July. In either case the first installment shall mature not later than eleven months after said earliest date thereof."

Under the provisions of the foregoing section the latest maturity that could have been given to said bonds would have been on August 1, 1928.

In view of the fact that these bonds have not been issued with maturities in accordance with the statutory provision above recited, I am compelled to disapprove the same, and you are advised not to accept the said bonds.

Respectfully,
C. C. CRABBE,
Attorney General.

3557.

APPROVAL, BONDS OF VILLAGE OF LISBON, COLUMBIANA COUNTY,
\$7,110.00.

COLUMBUS, OHIO, July 29, 1926.

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

3558.

APPROVAL, BONDS OF NEWTON FALLS CONSOLIDATED SCHOOL DISTRICT, TRUMBULL COUNTY, \$49,000.00.

COLUMBUS, OHIO, July 30, 1926.

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