

3031.

APPROVAL--BONDS OF ANSONIA VILLAGE SCHOOL DISTRICT, DARKE COUNTY, OHIO, \$2,500.00, DATED SEPTEMBER 1, 1938.

COLUMBUS, OHIO, September 28, 1938.

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

RE: Bonds of Ansonia Village School Dist., Darke County, Ohio, \$2,500.00 (Limited).

I have examined the transcript relative to the above bonds purchased by you. These bonds comprise all of an issue of motor vehicle bonds dated September 1, 1938, bearing interest at the rate of 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.*

3032.

APPROVAL--BONDS OF GARFIELD HEIGHTS CITY SCHOOL DISTRICT, CUYAHOGA COUNTY, OHIO, \$4,000.00, PART OF ISSUE DATED OCTOBER 1, 1938.

COLUMBUS, OHIO, September 28, 1938.

*Retirement Board, State Public School Employes Retirement System, Columbus, Ohio.*

GENTLEMEN :

RE. Bonds of Garfield Hts. City School Dist., Cuyahoga County, Ohio, \$4,000.00.

The above purchase of bonds appears to be part of an issue of bonds of the above school district dated October 1, 1933. The transcript relative to this issue was approved by this office in an opinion rendered

to the Teachers Retirement System under date of June 2, 1937, being Opinion No. 679.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said school district.

Respectfully,

HERBERT S. DUFFY,

*Attorney General.*

3033.

DISAPPROVAL, BONDS OF HOWARD RURAL SCHOOL DISTRICT, KNOX COUNTY, OHIO, \$46,750.00.

COLUMBUS, OHIO, September 28, 1938.

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

GENTLEMEN :

RE: Bonds of Howard Rural School District,  
Knox County, Ohio, \$46,750.00.

I have examined the transcript relative to the above bond issue that you have submitted to this office for my approval and wish to advise you that I will be unable to approve the same for the following reasons:

It is apparent that the \$46,750 bond issue is to be used for the building of a new fireproof school building and likewise equipping the same. This is borne out by the breakdown contained in the certificate of the clerk showing the estimated life of the improvements. However, in the notice of the election, the ballot and the bond resolution, only one purpose is stated, that is, the building of a fireproof school building in Howard Rural School District.

The transcript is likewise insufficient in that the journal entry of the Tax Commission consenting to the holding of a special election is lacking and likewise the tentative approval of the federal authorities which must have been received prior to the date of the special election.

Another omission is the fact that these bonds were not offered to the officer in charge of the bond retirement fund in accordance with Section 2293-27, General Code. It should be remembered that although there is no sinking fund in existence, the clerk-treasurer is the proper officer in charge of the bond retirement fund. See Section 2295-14, General Code.

The main reason for my disapproving this transcript is that the