

3394.

APPROVAL, BONDS OF BRADY LAKE SPECIAL SCHOOL DISTRICT, PORTAGE COUNTY, \$50,000, FOR CONSTRUCTING AND IMPROVING SCHOOL PROPERTY.

COLUMBUS, OHIO, July 24, 1922.

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

3395.

APPROVAL, BONDS OF CITY OF EAST YOUNGSTOWN, MAHONING COUNTY, \$5,000 FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, July 24, 1922.

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

3396.

DISAPPROVAL, BONDS OF PORTAGE COUNTY, \$3,541.07, FOR BRIDGE CONSTRUCTION.

COLUMBUS, OHIO, July 24, 1922.

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

Re: Bonds of Portage county, in the amount of \$3,541.07, in anticipation of the collection of assessments for the construction of a bridge.

GENTLEMEN:—I note from the transcript for the above bond issue that said bonds are issued under authority of an act of the General Assembly of Ohio passed June 19, 1919 and found in 109 O. L. 926, being sections 6442 et seq. of the General Code of Ohio.

At the present time there is pending in the Supreme Court of Ohio a suit wherein the constitutionality of the act of the General Assembly, referred to above and known as the Ditch Law, is questioned. This is the case of State of Ohio ex rel. Edw. U. Shafer, et al., relators, v. Gus Otter, as County Auditor of Ashland county, Ohio, respondent, being No. 17415 on the docket of said court. The best information we have been able to secure is that no decision will be handed down by the Supreme Court before the September term. Until the question of the constitutionality of this law

is passed upon by the court I do not deem it advisable to approve the purchase of bonds issued under authority of such law. I therefore advise you to decline to accept said bonds and suggest that no further county ditch bonds be purchased by the commission until you are advised that the constitutionality of said law has been determined.

Respectfully,

JOHN G. PRICE,
Attorney-General.

3397.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENTS, MERCER COUNTY.

COLUMBUS, OHIO, July 24, 1922.

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

3398.

APPROVAL, PROPOSED LEASE OF STATE OF OHIO TO FRANK D. JOHNS, NEW PHILADELPHIA, TRACT OF TEN ACRES INCLUDED IN UPPER OR MIDDLE BASIN OF OHIO CANAL NEAR ROSCOE, OHIO.

COLUMBUS, OHIO, July 24, 1922.

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

GENTLEMEN:—I am in receipt of your communication of this date transmitting for my examination a proposed lease in triplicate to Frank D. Johns, of New Philadelphia, Ohio, for a tract containing ten acres of land, more or less, included in what is known as the Upper or Middle Basin of the Ohio Canal near Roscoe, Ohio.

I note from the memorandum on the lease that you have fixed the valuation at \$1,666.67.

Finding as I do that said proposed lease is in all respects in conformity to law, I am endorsing my approval thereon and returning the same herewith.

Respectfully,

JOHN G. PRICE,
Attorney-General.