

debtedness incurred for the construction and extension of waterworks and for no other purpose whatever.

It must be concluded that funds received by the municipality from the operation of its waterworks plant are impressed with superlative sanctity and can not be used for any other than the specific purpose set out in the statute.

Section 3959, General Code, was held constitutional in the case of *Cincinnati vs. Roettinger*, 105 O. S., 145, and funds derived from municipally owned waterworks were specifically excluded from consideration in the Niles case, *supra*, as appears from the first paragraph of the syllabus.

Respectfully,

HERBERT S. DUFFY,

Attorney General.

3412.

APPROVAL—BOND, \$5,000.00, H. A. KELLER, ACTING RESIDENT DIVISION DEPUTY DIRECTOR IN DIVISION NO. 3, DEPARTMENT OF HIGHWAYS.

COLUMBUS, OHIO, December 16, 1938.

HON. IVAN R. AULT, *Director, Department of Highways, Columbus, Ohio.*

DEAR SIR: You have submitted for my approval the bond of H. A. Keller, in the amount of \$5,000.00, with the Ohio Casualty Insurance Company as surety, covering Mr. Keller as Acting Resident Division Deputy Director in Division No. 3, Department of Highways.

Finding said bond in proper legal form, with the authority of the signers of the bond properly attached, I am returning the same herewith to you with my approval thereon.

Respectfully,

HERBERT S. DUFFY,

Attorney General.