

2416.

APPROVAL, BONDS OF ALLEN COUNTY, OHIO, IN AMOUNT OF \$21,700
FOR ROAD IMPROVEMENTS.

COLUMBUS, OHIO, September 17, 1921.

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

2417.

DISAPPROVAL, BONDS OF VILLAGE OF AMHERST, LORAIN COUNTY,
OHIO, IN AMOUNT OF \$14,500 FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, September 19, 1921.

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

Re: Bonds of the village of Amherst, Lorain county, Ohio, in the
sum of \$14,500, in anticipation of the collection of special assessments
for the improvement of Spring street in said village.

GENTLEMEN:—I have examined the transcript of the proceedings of the
council and of other officers of the village of Amherst, Ohio, relating to the
above issue of bonds and note the following objections which prevent my ap-
proval of said bond issue.

(1) The transcript submitted does not show the adoption and publication
of a resolution of necessity with respect to said improvement; that notice of
the adoption of said resolution was served upon the property owners to be
assessed for said improvement nor that an ordinance to proceed with said
improvement was passed and published as required by law. These proceedings
above noted are obviously jurisdictional to the power and authority of council
to provide by ordinance for the issue of bonds to pay for said improvement in
anticipation of assessments to be collected therefor.

(2) The ordinance of council providing for this issue of bonds does not
make provision for the levy of a tax upon the taxable property of the village
to take care of any deficiency occurring in the collection of the special assess-
ments for this improvement as required by section 3914-1 General Code.

The objections first above noted may perhaps be obviated by further in-
formation which the village authorities may be able to furnish, but inasmuch
as the ordinance providing for this issue of bonds is itself defective, I do not
feel that I have any discretion to do otherwise than to disapprove this bond
issue and to advise you not to purchase the same.

Respectfully,
JOHN G. PRICE,
Attorney-General.