

1005.

APPROVAL—BONDS OF MEIGS COUNTY, OHIO, \$37,000.00.

COLUMBUS, OHIO, August 11, 1937.

State Employes Retirement Board, Columbus, Ohio.

GENTLEMEN :

RE: Bonds of Meigs County, Ohio, \$37,000.00.

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise all of an issue of deficiency bonds dated August 1, 1937, bearing interest at the rate of 4½% 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 a valid and legal obligation of said county.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

1006.

APPROVAL—BONDS OF CITY OF LIMA, ALLEN COUNTY,
OHIO, \$4,000.00.

COLUMBUS, OHIO, August 11, 1937.

The Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN :

RE: Bonds of City of Lima, Allen County, Ohio, \$4,000.00.

The above purchase of bonds appears to be part of an issue of bonds of the above city dated May 1, 1922. The transcript relative to this issue was approved by this office in an opinion rendered to your commission under date of October 29, 1935, being Opinion No. 4846.

It is accordingly my opinion that these bonds constitute a valid and legal obligation of said city.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

1007.

ABANDONED TOWNSHIP QUARRY FOR 20 YEARS—TOWNSHIP TRUSTEES MAY SUBMIT REOPENING TO VOTE OF PEOPLE WHICH INVOLVES PURCHASE OF NEW EQUIPMENT WHERE TAX LEVY OR BOND ISSUE IS NEEDED.

SYLLABUS:

Where a quarry owned by a township has been abandoned without operation or activity for twenty years, township trustees must submit to a vote of the people any plan to reopen the quarry which would involve the purchase of new equipment and machinery, even though such a purchase would not involve a tax levy or bond issue.

COLUMBUS, OHIO, August 12, 1937.

HON. ALEXANDER H. NYZER, *Prosecuting Attorney, Fremont, Ohio.*

DEAR SIR: This will acknowledge your recent request for an opinion. Your letter read as follows:

“May I have your opinion on the following question:

Green Creek Township, many years ago, purchased a stone quarry and the necessary equipment to operate the same. Some twenty years ago the then Board of Trustees sold the machinery with which the quarry was operated. At the present time the township still owns the quarry, but no machinery to operate the same. Assuming that the township has plenty of money to use for the purpose, can they purchase the necessary machinery to operate the quarry without submitting the question to a vote of the people?”

Authority to purchase stone quarries and the machinery necessary for their operation is granted township trustees under Section 3298-20, of the General Code. This section reads as follows: