

1663.

DISAPPROVAL, BONDS OF MONROE TOWNSHIP RURAL SCHOOL DISTRICT, CARROLL COUNTY, \$3,000.00.

COLUMBUS, OHIO, August 4, 1924.

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

Re: Bonds of Monroe Township Rural School District, Carroll County, \$3,000.00.

Gentlemen:—

I have examined the transcript furnished this department in connection with the foregoing issue and find that I cannot approve the same for the following reasons:

The bond resolution passed by the board of education on June 4, 1924, recites:

“WHEREAS; The Monroe Rural School District, of Carroll County, Ohio, but built a High School Building at Bellrey, Ohio, and a grade School Building at Leavittsville, Ohio, but does not have sufficient money to install a heating and ventilating system in said buildings, said board deems it imperative to remedy this casualty, by issuing bonds under section 7630-1 of the General Code.”

The resolution further recites:

“ * * * That the probable cost of installing said heating and ventilating systems, estimated at Three Thousand Dollars (\$3,000.00) to meet the requirements of the Industrial Commission; that the funds at the disposal of the Board of Education, or that can be raised under the provisions of Section 7629 and Section 7630 G. C., are not sufficient to meet the cost of installing said heating systems and that a bond issue is necessary * * *.”

The transcript does not show any further provisions of the board of education for the issuance of these bonds, and it is apparent that no election was held for the purpose of authorizing the issue. It is also apparent that the statute does not authorize the issue under Section 7630-1 G. C. for the purposes herein stipulated.

Section 7630-1 G. C. provides as follows:

“If a schoolhouse is wholly or partly destroyed by fire or other casualty, or if the use of any schoolhouse for its intended purpose is prohibited by any order of the department of industrial relations, and the board of education of the school district is without sufficient funds applicable to the purpose, with which to rebuild or repair such schoolhouse or to construct a new schoolhouse for the proper accommodation of the schools of the district, and it is not practicable to secure funds under any of the six preceding sections because of the limits of taxation applicable to such school district, such board of education may, subject to provisions of sections seventy-six hundred and twenty-six and seventy-six hundred and twenty-seven, and upon the approval of the electors in the manner provided by sections seventy-six hundred and twenty-five and seventy-six hundred and twenty-six issue bonds for the amount required for such purpose. Such bond issue may be

voted upon at a general election or if the bonds are issued for the purpose of rebuilding or repairing a schoolhouse wholly or partly destroyed by fire or other casualty, or for the purpose of building a new schoolhouse for the proper accommodation of schools of the district in lieu of repairing or rebuilding such schoolhouse destroyed by fire or other casualty, at a general election or at a special election called for that purpose. * * * ."

It is therefore apparent that these bonds cannot be issued as contemplated herein for the purposes prescribed, and that the legal proceedings have not been taken to authorize an issue as provided by law.

I am therefore of the opinion that these bonds are not legal and valid obligations of the Monroe Township Rural School District, and you are advised not to purchase the same.

Respectfully,
C. C. CRABBE,
Attorney General.

1664.

DISAPPROVAL, BONDS OF MONTGOMERY VILLAGE SCHOOL DISTRICT, HAMILTON COUNTY, \$25,000.00.

COLUMBUS, OHIO, August 4, 1924.

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

Re: Bonds of Montgomery Village School District, Hamilton County, \$25,000.00.

Gentlemen:—

I have examined the transcript submitted to this department in connection with the foregoing issue of bonds and find that I cannot approve the same for the following reasons:

This issue of bonds is a companion one to the issue for \$35,000.00 of Blue Ash School District, and the two issues amount to \$60,000.00, which said bonds are sought to be issued for the same purpose, that is, to purchase land and erect and build a new fire proof school house to be used jointly for both of said districts.

For the reasons set forth in the disapproval of the Blue Ash School District transcript, I am of the opinion that these bonds also are not legal and valid obligations of Montgomery Village School District, and advise you not to purchase said bonds.

Respectfully,
C. C. CRABBE,
Attorney General.