

3319.

APPROVAL, BONDS OF STOW TOWNSHIP RURAL SCHOOL DISTRICT,
SUMMIT COUNTY, \$125,000.00.

COLUMBUS, OHIO, May 1, 1926.

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

3320.

DISAPPROVAL, BONDS OF SUGAR CREEK TOWNSHIP RURAL SCHOOL
DISTRICT, WAYNE COUNTY, \$22,000.00.

COLUMBUS, OHIO, May 5, 1926.

Re: Bonds of Sugar Creek Township Rural School District, Wayne County,
\$22,000.00.

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

GENTLEMEN:—An examination of the transcript for the foregoing issue of bonds discloses that said bonds are issued under the provisions of section 7630-1 of the General Code.

The authority for such issue is based upon an order of prohibition against the use of the former school building, which said order has been signed by P. T. Kearns, chief of the division, and does not show that the order has been approved by the Department of Industrial Relations, or said order signed by the director of said department.

In the case of Industrial Commission of Ohio et al. vs. Snyder, the Supreme Court of Ohio held:

“The provisions of such Code require the administration of the affairs of that department by the Director of Industrial Relations and provide for the keeping within the department such records and journals as are necessary to exhibit its official acts and proceedings. A letter addressed to the board of education, signed only by the Chief of the Division of Factory Inspection, giving notice that the use of the school building is prohibited, unless designated changes are made by a specified time, there being no record of any official action by the department with reference to such matter, or showing any authority conferred upon the chief of the division of factory inspection relative thereto, is not an order of the department whereon may be predicated action by the board of education to issue and sell bonds of the district for the erection of a school building pursuant to the provisions of section 7630-1 General Code, as it existed April 9, 1923.”

For the foregoing reasons, you are advised not to purchase these bonds.

Respectfully,
C. C. CRABBE,
Attorney General.