

3919.

DISAPPROVAL, BONDS OF UNION CITY, DARKE COUNTY, \$4,500.00.

COLUMBUS, OHIO, December 29, 1926.

Re: Bonds of Union City, Darke County, \$4,500.00.

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

GENTLEMEN:—The proceedings of council as submitted in the transcript for the foregoing issue of bonds contain the following statement:

“The matter of refunding certain indebtedness for deficiencies commencing in 1922 and running through and increasing the following years of 1923, 1924 and 1925 and renewed from time as augmented was considered
* * *”

There is attached to the transcript a note in the sum of \$2,850.00, signed on behalf of the village by the mayor and clerk and issued to The Farmers' State Bank, bearing date September 3, 1926, due in ninety days from date.

The following resolution authorized the foregoing note:

“Be it resolved by the council of the Village of Union City, Ohio, that the mayor and clerk be and are hereby authorized to borrow \$2,850.00 from The Farmers' State Bank to take up and renew a note.”

The transcript also contains a certificate of indebtedness in the sum of \$1,650.00 issued to The Union City Electric Company, the authority for the issuance of which recites that such certificate of indebtedness shall be refunded by the issuance of bonds.

I know of no authority of law for the issuance of a note in the form as set forth in the foregoing proceedings or for the issuance of certificates of indebtedness to be paid by the issuance of bonds for the refunding thereof.

Section 3913 of the General Code provides for the issuance of certificates of indebtedness in anticipation of the collection of unencumbered taxes but there is no provision for the payment of certificates of indebtedness authorized by this section through the issuance of bonds for such purpose.

The transcript submitted for this issue of bonds states that the proceedings are under the provisions of section 3916 of the General Code. This section of law is as follows:

“For the purpose of extending the time of payment of any indebtedness created or incurred before the first day of January, 1924, which from its limits of taxation the corporation is unable to pay at maturity, the council therefore may issue bonds of the corporation or borrow money so as to change but not to increase the indebtedness; in such amounts, for such length of time and at such rate of interest as the council deems proper, not to exceed six per cent per annum, payable annually or semi-annually.”

As set out in the beginning, the foregoing indebtedness fund in its original form has been incurred since January 1, 1924, and to that extent could not be approved even had the proceedings for the issuance of the note and certificate of indebtedness been legally done.

Section 5649-9f of the General Code as found in 111 O. L., page 335 provides for the issuance of refunding bonds, but the same can only be issued upon the approval of the Tax Commission of Ohio.

For the reasons herein set forth, it must be held that the foregoing issue of bonds has not been issued under any authority of law and is not a valid obligation of the Village Of Union City and you are therefore advised not to accept the said bonds.

Respectfully,
C. C. CRABBE,
Attorney-General.

3920.

APPROVAL, FINAL RESOLUTION ON ROAD IMPROVEMENT IN SANDUSKY COUNTY.

COLUMBUS, OHIO, December 31, 1926.

Department of Highways and Public Works, Division of Highways, Columbus, Ohio.

3921.

ARTICLES OF INCORPORATION OF "THE LATHERS' SOCIAL CLUB OF CLEVELAND."

COLUMBUS, OHIO, December 31, 1926.

HON. THAD H. BROWN, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—This will acknowledge receipt of your letter of the 28th instant enclosing articles of incorporation of The Lathers' Social Club of Cleveland. I am returning to you herewith the same with my approval endorsed thereon.

Respectfully,
C. C. CRABBE,
Attorney-General.

3922.

APPROVAL, BONDS OF COLUMBIA TOWNSHIP RURAL SCHOOL DISTRICT, MEIGS COUNTY, \$3,350.00.

COLUMBUS, OHIO, December 31, 1926.

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