

The issuing of a permit is a discretionary power left to the good judgment of the board of health that they may protect the public. If the public health is not endangered and the demand for disinterment is for a reasonable purpose, such board of health may be expected to give the proper permit.

In *Fowble vs. Walker*, 4 O., 64, the court says:

“Sound discretion does not mean an arbitrary discretion but such as may be exercised without the violation of any principle of law.”

From the above considerations it is the opinion of this department that a body may be disinterred under General Code section 3467 during the months of April, May, June, July, August and September if a permit so to do has been first obtained from the local health department.

Respectfully,

JOHN G. PRICE,
Attorney-General.

2228.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENTS IN LAKE, HOCKING, HARDIN, ASHTABULA AND TRUMBULL COUNTIES.

COLUMBUS, OHIO, July 2, 1921.

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

2229.

APPROVAL, BONDS OF DILLONVALE VILLAGE SCHOOL DISTRICT IN THE AMOUNT OF \$20,000.

COLUMBUS, OHIO, July 2, 1921.

Industrial Commission of Ohio, Columbus, Ohio.

Re: Bonds of Dillonvale village school district in the amount of \$20,000, issued under section 7625 et seq. G. C., being 6 bonds of \$750 each, 1 bond of \$1,900, 1 bond of \$2,100, 5 bonds of \$2,000 each and 1 bond of \$1,500, 6 per cent.

GENTLEMEN:—I have examined the transcript of the proceedings of the board of education and other officers of Dillonvale village school district relative to the above bond issue, and find the same regular and in conformity with the provisions of the General Code.

I am of the opinion that said bonds, drawn in accordance with the legislation authorizing their issuance, will, upon delivery, constitute valid and binding obligations of said school district.

In approving the issue of \$20,000 under consideration I do not wish to be understood as at this time approving the purchase of the remaining \$30,000

of the total authorized issue of \$50,000, as I do not at this time wish to pass upon the question of the authority of the district to levy taxes sufficient to pay the interest and sinking fund charges of a further issue of \$30,000. I am satisfied, however, that the district will be able to meet the interest and sinking fund charges for the \$20,000 issue under consideration.

Respectfully,
 JOHN G. PRICE,
Attorney-General.

2230.

APPROVAL, REFUNDING BONDS, WASHINGTON TOWNSHIP RURAL SCHOOL DISTRICT, WOOD COUNTY, IN THE AMOUNT OF \$20,000.

COLUMBUS, OHIO, July 2, 1921.

Industrial Commission of Ohio, Columbus, Ohio.

2231.

APPROVAL, BONDS OF BEDFORD VILLAGE SCHOOL DISTRICT IN THE AMOUNT OF \$180,000.

COLUMBUS, OHIO, July 2, 1921.

Industrial Commission of Ohio, Columbus, Ohio.

2232.

APPROVAL, BONDS OF THE VILLAGE OF CANAL WINCHESTER, OHIO, IN THE AMOUNT OF \$31,000.

COLUMBUS, OHIO, July 2, 1921.

Industrial Commission of Ohio, Columbus, Ohio.

Re: Bonds of the village of Canal Winchester, Ohio, in the amount of \$31,000, in anticipation of the collection of special assessments for the improvement of High street in said village, being 9 bonds of \$3,000 each and 1 bond of \$4,000—6 per cent.

GENTLEMEN:—An examination of the transcript of the proceedings of the council and other officers of the village of Canal Winchester relating to the above issue of bonds discloses that the only question touching the validity of said issue is one raised by reason of a certain defect in the ordinance determining to proceed with said improvement, passed February 23, 1920. This ordinance by appropriate language provides that it is determined by council to proceed with the improvement of High street in said village, between the termini therein mentioned, by grading, draining and paving the roadway thereof with brick, concrete, asphalt, or other similar substance, and construct curbs along each side thereof at all places where proper and suitable curbs