

139, in the village of Lodi, being 1 bond of \$754.64, 12 bonds of \$1,000 each, 5 bonds of \$1,500 each and 1 bond of \$2,000—6 per cent.

GENTLEMEN:—I have examined the transcript of proceedings of the county commissioners and other officers of Medina county 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 county.

You will note that the denomination of the bonds as approved is somewhat different from the denomination of the bonds as shown by the resolution of purchase of the industrial commission. The original resolution of the county commissioners authorizing the issuance of the bonds provided that the last bond of the series in the amount of \$2,000 would not become due until October 1, 1931. This was contrary to the provisions of section 1223 G. C. under authority of which the bonds were issued in that all bonds issued under said section must fall due within ten years from the date of their issuance. In order to correct this error the county commissioners adopted an amended bond resolution changing the denomination and due date of the bonds so that all bonds fall due within the ten year period.

I am enclosing the certified copy of this amended bond resolution so that you may correct your resolution of purchase. Kindly return this resolution to me as it will be necessary that I have it when the bonds are presented for delivery.

Respectfully,
JOHN G. PRICE,
Attorney-General.

2178.

APPROVAL, BONDS OF NEWTON FALLS CONSOLIDATED SCHOOL DISTRICT IN THE AMOUNT OF \$8,000.

COLUMBUS, OHIO, June 18, 1921.

Industrial Commission of Ohio, Columbus, Ohio.

2179.

DISAPPROVAL, BONDS OF ROUNDHEAD TOWNSHIP RURAL SCHOOL DISTRICT, HARDIN COUNTY, OHIO, IN THE AMOUNT OF \$6,000.

COLUMBUS, OHIO, June 18, 1921.

Industrial Commission of Ohio, Columbus, Ohio.

Re: Bonds of Roundhead township rural school district, Hardin county, in the sum of \$6,000, for the purpose of completing a school building.

GENTLEMEN:—I have examined the transcript for the above bond issue and decline to approve the validity of said bonds for the following reasons:

(1.) The resolution authorizing the submission of the question of issuing bonds to a vote of the electors, adopted May 26, 1919, fails to make the determinations and findings required by section 7625 G. C. Such determinations and findings are jurisdictional to the authority of the board of education to call an election and I do not believe that the mere recital of the existence of certain facts under the whereas clauses of the resolution is equivalent to findings to that effect.

(2.) The transcript does not show that the result of the election was canvassed by the board of education as required by section 5120 G. C.

(3.) No provision has been made by the board of education in the bond resolution or elsewhere for the levy and collection of an annual tax sufficient to pay the interest upon said bonds and create a sinking fund for their redemption at maturity. Such provision is required by article XII, section 11, of the Ohio Constitution.

(4.) The transcript does not contain a financial statement upon which the power of the district to issue the bonds in question can be determined.

(5.) The transcript fails to show that the bonds have been offered to and rejected by the board of commissioners of the sinking fund of the district, as required by section 7619 G. C.

Part of the errors above referred to could doubtless be corrected by supplementary information attached to the transcript. In view, however, of the defect in the resolution authorizing the submission of the question of issuing bonds to a vote of the electors and the failure of the board of education to make provision for a tax levy to pay the interest and create a sinking fund for the payment of the bonds at maturity as required by the Ohio Constitution, it would be useless to add such corrections.

I am therefore of the opinion that the bonds are not valid and binding obligations of the school district and advise the commission not to accept the same.

Respectfully,
JOHN G. PRICE,
Attorney-General.

2180.

DISAPPROVAL, BONDS OF ELYRIA TOWNSHIP RURAL SCHOOL DISTRICT IN THE AMOUNT OF \$10,000.

COLUMBUS, OHIO, June 18, 1921.

Industrial Commission of Ohio, Columbus, Ohio.

Re: Bonds of Elyria township rural school district in the amount of \$10,000 for the erection of an addition to the school house.

GENTLEMEN:—I have examined the transcript of proceedings of the board of education and other officers submitted in connection with the above bond issue and decline to approve the validity of said bonds for the following reasons:

(1.) The resolution of October 1, 1920, providing for the submission of the question of issuing bonds to the electors, fails to comply with the provisions of section 7625 G. C. in that the board did not make the determinations