

The supreme court of Ohio has recently held in the case of *State ex rel vs. Zangerle, Auditor, No. 16578*, that bonds issued by county commissioners under section 6929 for county road improvements, proceedings for which were commenced prior to February 17, 1920, cannot bear interest in excess of 5 per cent; in other words, that the amendment to section 6929 which went into effect February 17 was inoperative as to proceedings for county road improvements then pending.

Following the rule laid down in the case just referred to the same conclusion must be reached relative to state aid road improvements and the bonds issued under section 1223 to pay the cost and expense of a state aid road improvement, proceedings for which were commenced prior to February 17, 1920, cannot bear interest in excess of 5 per cent per annum.

I am therefore of the opinion that said bonds are not valid and binding obligations of Henry county and advise you not to purchase the same.

Respectfully,

JOHN G. PRICE,

*Attorney-General.*

1256.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENTS IN JACKSON, GEAUGA, SANDUSKY AND UNION COUNTIES, OHIO.

HON. A. R. TAYLOR, *State Highway Commissioner, Columbus, Ohio.*

COLUMBUS, OHIO, May 19, 1920.

1257.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENT IN ERIE COUNTY, OHIO.

COLUMBUS, OHIO, May 20, 1920.

HON. A. R. TAYLOR, *State Highway Commissioner, Columbus, Ohio.*

DEAR SIR:—The letter of your department of May 19th, signed by Mr. T. S. Brindle, chief highway engineer, is received, enclosing for my opinion the following final resolution:

Lima-Sandusky road, I. C. H. No. 22, Section A, Erie county.

I have noted the special circumstance mentioned in the letter transmitting said resolution, that on July 18, 1919, \$20,000 of the main market road moneys were set aside by your department on account of the work in question, and that subsequently, to-wit: On December 19, 1919, when revising the main market road system of the state, as authorized by section 1189 G. C. (amended 108 O. L. 482), you dropped from the main market road system the section of highway named in said final resolution.

Said section 1189, after providing that if within a certain period, the state highway commissioner for certain specified reasons finds it expedient to abandon as such any of the main market roads

“ \* \* \* he shall vacate and abandon such highways as main market