

4674.

APPROVAL, BONDS OF SHAKER HEIGHTS VILLAGE SCHOOL DISTRICT, CUYAHOGA COUNTY, OHIO, \$6,500.00.

COLUMBUS, OHIO, September 17, 1935.

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

4675.

APPROVAL, BONDS OF SHADYSIDE EXEMPTED VILLAGE SCHOOL DISTRICT, BELMONT COUNTY, OHIO, \$26,000.00.

COLUMBUS, OHIO, September 17, 1935.

Industrial Commission of Ohio, Columbus, Ohio.

4676.

APPROVAL, PAPERS IN CONNECTION WITH THE CONVERSION OF THE EAST END BUILDING AND LOAN COMPANY OF CHILLICOTHE, OHIO, INTO FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF CHILLICOTHE, OHIO.

COLUMBUS, OHIO, September 17, 1935.

HON. WILLIAM H. KROEGER, *Superintendent of Building and Loan Associations of Ohio, Columbus, Ohio.*

DEAR SIR:—I have examined the various papers submitted by you in connection with the conversion of The East End Building and Loan Company of Chillicothe, Ohio, into First Federal Savings and Loan Association of Chillicothe, and find the papers submitted and the proceedings of said The East End Building and Loan Company, as disclosed thereby, to be regular and in conformity with the provisions of section 9660-2 of the General Code of Ohio.

All papers, including two copies of the charter issued to the said First Federal Savings and Loan Association, are returned herewith to be filed by

you as a part of the permanent records of your department, except one copy of the charter which the law provides shall be filed by you with the Secretary of State. The law further provides that such filing with the Secretary of State shall be within ten days after the requirements of said section 9660-2 have been complied with by The East End Building and Loan Company, and that your approval shall be endorsed on the copy so filed. You will find on the copies of the charter, form of approval for your signature.

Respectfully,

JOHN W. BRICKER,
Attorney General.

4677.

OHIO RECOVERY ACT—H. B. NO. 705, 90TH G. A. UNCONSTITUTIONAL.

SYLLABUS:

Under the decisions of the Supreme Court of the United States, in Schechter et al. vs. United States, 79 L. Ed., 888, the Supreme Court of Ohio, in Divisional Code Authority vs. Riesenberg and Reams vs. Dusha, 129 O. S., 279, House Bill No. 705, of the 90th General Assembly is unconstitutional in its entirety.

COLUMBUS, OHIO, September 17, 1935.

HON. J. C. LUCAS, *Assistant Administrator, Ohio Recovery Administration, Columbus, Ohio.*

DEAR SIR:—I am in receipt of your recent communication, requesting my opinion on the following questions:

“1. Did the Ohio Supreme Court, in a recent decision, declare the entire Ohio Recovery Act (H. B. No. 705) unconstitutional, or was only Section 3 of the Act affected by the court’s ruling?

2. Was the authority of the Ohio Trade Code Administration (the O. R. A.), to function as a division of the state government, terminated by that decision of the Ohio Supreme Court?”

Your questions involve a consideration not only of the decisions of the Ohio Supreme Court, in the cases of the *Divisional Code Authority No. 23, Retail Solid Fuel Industry et. al. vs. Ben Riesenberg, 129 O. S., 279*, and *State of Ohio, ex rel. Frazier Reams, Prosecuting Attorney vs. Edward Dusha*