

In view of my conclusions as stated above, I do not feel warranted in approving these issues and advise you to reject the same.

Respectfully,
EDWARD C. TURNER,
Attorney General.

360.

DISAPPROVAL, BONDS OF VILLAGE OF WORTHINGTON, FRANKLIN COUNTY, OHIO—\$9,000.00.

COLUMBUS, OHIO, April 14, 1927.

Re: Bonds of village of Worthington, Franklin county, \$9,000.00.

Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN:—Upon examination of the transcript for the above bond issue I note that while the declaratory resolution stated that the assessments were to be levied by the foot front, and the subsequent assessment notice so states, the ordinance determining to proceed, and the assessment ordinance provided that the assessments were to be made in proportion to the special benefits.

The bond issuing ordinance was passed the same time as this assessing ordinance. Subsequently, in October and November the bonds were sold. All this was predicated upon assessment, which, by the terms of the ordinance was in accordance with special benefits, whereas, by the resolution and the notice of assessment the assessments were to be by the foot front.

Subsequent to the sale of the bonds the error was evidently discovered and the ordinance determining to proceed and the assessing ordinance were amended so as to provide for an assessment by the foot front.

In view of the fact that, at the time of the passing of the bond ordinance there was in reality no legal assessment, I feel that there is doubt as to the validity of the bonds so sold.

Under the curative provisions of Section 3902 of the General Code, the assessment can doubtless be corrected, but it would appear that new proceedings should be had from the time of the first deviation from the correct method of procedure. This carries with it, of course, the necessity of a new bond ordinance.

For these reasons I feel that there is such a doubt in regard to the validity of the bonds as to compel me to advise their rejection.

Respectfully,
EDWARD C. TURNER,
Attorney General.

361.

COUNTY SHERIFF—DUTIES AS TO FEEDING OF PRISONERS—AUTHORITY OF COUNTY COMMISSIONERS—AMENDED SENATE BILL No. 28, CONSTRUED.

SYLLABUS:

1. *Under the provisions of Amended Senate Bill No. 28 amending Section 2850, General Code, sheriffs in all counties are required to render on the fifth day of each calendar*