

It will therefore be observed that this section makes no provision for the purchase of a site for the erection of a school building.

In the case of Allard vs. Board of Education, 101 O. S., 469, bonds were there submitted to vote under section 7625 G. C. to build a high school building, \$35,000.00, purchase of site, \$750.00, and purchase of motor trucks and school wagon, \$4,000.00.

The latter purpose was held to be unauthorized, and the court in enjoining the issue held it to be void because of the notice of the election and manner in which the bonds were issued. At page 471 the court says:

"In this instance but one proposition was submitted and it included with purposes for which the issuance of bonds is authorized a purpose for which there is no legal authority for the issuance of bonds, and with no opportunity afforded the electors to vote separately on the question of issuing bonds for the various purposes stated. While that would be unnecessary if all were expressly authorized by law, the fact that all were here included in one proposition, and the electors of the district were therefore required to and did vote for or against the proposal as an entirety, makes it impossible to ascertain whether the issuance of bonds for the purposes stated other than that for purchasing motor trucks and wagons has the approval of a majority of the electors of the district."

In view of the decision of the court in the foregoing case in which the total issue was held invalid for the reason that part of the issue was unauthorized, I am compelled to follow the same rule in this case and hold that the entire issue is invalid for the reason that part of the issue is unauthorized.

You are therefore advised that this issue will not constitute the legal and valid obligations of The Newport First Rural School District, and you are therefore advised not to accept said bonds.

Respectfully,
C. C. CRABBE,
Attorney General.

3226.

APPROVAL, DEED CONVEYING TO THE STATE FOR ARMORY PURPOSES 1.67 ACRES OF LAND, IN ROSS COUNTY, CHILLICOTHE, OHIO.

COLUMBUS,, OHIO, March 27, 1926.

HON. FRANK D. HENDERSON, *Adjutant General, Columbus, Ohio.*

DEAR SIR:—You have submitted a deed executed by the officers of Chillicothe conveying to the State for armory purposes 1.67 acres of land, more or less, situated in the county of Ross and the state of Ohio, and in the city of Chillicothe.

It is disclosed that the territory described is a part of the city park of said city and a certificate submitted by B. H. Walker, abstractor and civil engineer, discloses that said premises are a part of tracts of land conveyed to said city by John Madeira and William Clarke, executors, on March 20, 1873, that the premises are covered by an abstract heretofore accepted by the state in connection with the conveyance of an

armory site in the same city park which has not yet been used by the state.

In view of the foregoing, it appears that there is sufficient evidence of the title to the premises under consideration being in the name of the city of Chillicothe. An examination has been made of the deed which seems to have been executed in proper form, and will be sufficient to convey the premises to the state when accepted. Inasmuch as the premises are being donated, there is no requirement for a certificate of the Director of Finance.

The abstract, certificate and other data submitted are being herewith returned.

Respectfully,
 C. C. CRABBE,
Attorney General.

3227.

APPROVAL, LEASE ON MIAMI AND ERIE CANAL LAND.

COLUMBUS, OHIO, March 26, 1926.

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

GENTLEMEN:—I have your letter of March 26, 1926, in which you enclose the following lease, in triplicate, for my approval:

MIAMI AND ERIE CANAL LAND	Valuation
City of Piqua, Ohio, for Railroad Right of Way, Parking, Street and	
General Business Purpose -----	\$40,816.67

I have carefully examined said lease, find it in correct form and legal, and am therefore returning the same with my approval endorsed thereon.

Respectfully,
 C. C. CRABBE,
Attorney General.

3228.

MUNICIPAL CORPORATION—AUTHORITY OF COUNCIL TO AMEND OR SUPPLEMENT APPROPRIATION MEASURE DURING CURRENT YEAR, DISCUSSED.

SYLLABUS:

A council of a municipal corporation may under Section 5649-3h of the General Code, amend or supplement the appropriation measure during the current year so as to include the purpose not provided for in the annual appropriation measure.

COLUMBUS, OHIO, March 30, 1926.

Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.

GENTLEMEN:—I am in receipt of your communication as follows: