

1933.

APPROVAL, BONDS CITY OF DAYTON, MONTGOMERY COUNTY, OHIO, \$40,000.00, PART OF ISSUE DATED SEPTEMBER 1, 1925.

COLUMBUS, OHIO, February 15, 1938.

The Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN :

RE: Bonds of City of Dayton, Montgomery County,
Ohio, \$40,000.00.

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise part of an issue of waterworks extension and improvement bonds in the aggregate amount of \$500,000, dated September 1, 1925, bearing interest at the rate of $4\frac{1}{2}\%$ per annum.

From this examination, in the light of law under authority of which these bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute valid and legal obligations of said city.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

1934.

CHARTER CITY—CLEVELAND—MUNICIPAL LIGHT PLANT—
RATE FOR ELECTRICAL ENERGY—PRIVATE CONSUMERS—
PROPRIETARY CAPACITY—BOARD OF CONTROL
—CITY COUNCIL—OPINION 613, MAY 18, 1937, AFFIRMED.

SYLLABUS:

1. *The board of control of the City of Cleveland is without authority to establish a rate for electrical energy furnished by the municipal light plant to private consumers without the approval of the city council as is provided for in Section 112 of the charter of the City of Cleveland.*

2. *The city charter is the organic law of the municipality so far as local powers are concerned and is supreme in matters of local self-government.*