

months in any period of six years, is ineligible to be a candidate for re-election to such office."

It should be noted that the person who is the subject of your inquiry was originally appointed to the office of sheriff by the Clark County Commissioners on December 12, 1927. Applying the six year constitutional provisions, above referred to, to the situation in question, it would seem that if the person concerned, if elected, will have served more than four years by December 12, 1933, he would be ineligible to run for election in 1932.

The period from December 12, 1927, to January 5, 1931, is composed of three years and twenty-three days. Under section 2823, General Code, a sheriff takes office the first Monday in January following his election. In the instant case the first Monday in January, 1933, when the sheriff would take office would be the 2nd of January. The elapsed time from January 2, 1933, to December 12, 1933, would be eleven months and nine days. Adding this figure to the three years and twenty-three days which he has already served, it would seem that said candidate, if elected, would serve by December 12, 1933, more than the four year period contained in the constitutional provision above quoted, even if a month is taken to contain thirty-one days.

I am therefore of the opinion that the person seeking the position of sheriff is not qualified to run in the 1932 election and consequently, if elected, would not be eligible to hold office.

Respectfully,
GILBERT BETTMAN,
Attorney General.

3603.

DISAPPROVAL, BONDS OF DECATUR TOWNSHIP RURAL SCHOOL DISTRICT, LAWRENCE COUNTY, OHIO—\$1,494.00.

COLUMBUS, OHIO, September 26, 1931.

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

GENTLEMEN:—Re: Bonds of Decatur Township Rural School Dist., Lawrence Co., Ohio, \$1,494.00.

The transcript relative to the above issue of bonds discloses that these bonds were authorized for the purpose of constructing improvements to a certain school building on August 29, 1931, without a vote of the electors. The financial statement submitted discloses that the total amount of property, as listed and assessed for taxation in the district, is \$821,960.00.

Section 2293-15, General Code, providing the limitations of net indebtedness which may be created or incurred by a school district without a vote of the people, provides in part as follows:

"The net indebtedness created or incurred by any school district without a vote of the people shall never exceed one-tenth of one per cent of the total value of all property in such school district as listed and assessed for taxation. * * * * *"

Reference is made in the resolution authorizing the bonds to Section 2293-18, General Code, as being one of the sections under which the issue is authorized. This section provides as follows:

"If at the effective date of this act any of the limitations of sections 2293-14, 2293-15, 2293-16 or 2293-17 hereof are exceeded in any subdivision, such subdivision so long as such excess exists may in any calendar year issue bonds falling within the class covered by said limitations in an amount equal to a sum not exceeding nine-tenths of the amount by which the net indebtedness on bonds of such class has been reduced during the said calendar year; provided that the total bonds issued in any year under the provisions of this section shall in no case exceed an amount equal to amount of bonds which may be issued within said limitation."

It is obvious that, irrespective of the amount by which any class of indebtedness might have been reduced by the district in the calendar year, the amount of this issue exceeds the amount of bonds which may be issued within the one-tenth of one per cent limitation of Section 2293-15, supra.

I, accordingly, advise you not to purchase these bonds.

Respectfully,

GILBERT BETTMAN,
Attorney General.

3604.

BLIND RELIEF—LEGAL SETTLEMENT—PERSON MUST BE A RESIDENT OF COUNTY FOR A YEAR TO SECURE SUCH RELIEF. SPECIFIC CASE.

SYLLABUS:

Residence of person for purpose of receiving blind relief discussed.

COLUMBUS, OHIO, September 26, 1931.

HON. EDGAR G. MARTIN, *Prosecuting Attorney, Norwalk, Ohio.*

DEAR SIR:—This will acknowledge receipt of your recent communication which reads:

"As Prosecuting Attorney of Huron County, I desire to present the following statement of facts before you.

M. K., aged twenty-one years, is totally blind and was a student at the State School for the Blind from 1920 to 1930. At the time he was placed there in 1920, his father and mother were living in Lorain County, Ohio. During the time that he was in school his father and mother separated and at the present time the residence of his mother is unknown; his father is a farm hand working in various places in this vicinity, being at present a resident of Huron County.

During each summer M. K. spent his various vacations from 1920 to 1930 with different relatives and friends, but in the summer of 1928