

1822.

DISAPPROVAL, BONDS OF VILLAGE OF GLOUSTER, ATHENS COUNTY,  
\$9,500.00.

COLUMBUS, OHIO, October 2, 1924.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*

Re: Bonds of Village of Glouster, Athens County, \$9,500.00.

Gentlemen:—

Transcript covering the foregoing issue of bonds has been examined and I find that the bond ordinance providing for the same recites in section 1 as follows:

“That certain indebtedness heretofore incurred by the Village of Glouster, to wit: That incurred in the construction, equipment, improvement and repair of the electric light and waterworks plant, to the amount of \$9,500.00, is hereby determined and declared to be an existing, valid and binding obligation of said Village.”

In order to determine the nature of the valid and binding obligation of the village, a request was made by this department to the officials of the village to furnish information as to the character of the obligations outstanding in making up the indebtedness. In reply to said request this department has been advised that it is sought to refund a series of bonds that have been issued from time to time for the purposes of improving and equipping a light plant, and it is for the purpose of refunding this series of bonds that the village is making this issue, as it appears it is evidently unable to pay these bonds at maturity.

Of the list of bonds submitted \$2,000.00 thereof were issued in 1904, and \$1,000.00 on October 1, 1912; the remainder in the total of \$6,500.00, has been issued at various times from October 1, 1913 to January 5, 1919.

Section 11 of Article XII of the Constitution of Ohio, as adopted on September 3, 1912, and which went into effect on January 1, 1913, is as follows:

“No bonded indebtedness of the State, or any political subdivisions thereof, shall be incurred or renewed, unless, in the legislation under which such indebtedness is incurred or renewed, provision is made for levying and collecting annually by taxation an amount sufficient to pay the interest on said bonds and to provide a sinking fund for their final redemption at maturity.”

The transcript and additional information furnished do not disclose why a levy has not been made annually and collected as required by the Constitution of the State to pay off these bonds. Either the legislation providing for the original issues of bonds has been in each case an improper and illegal one, or the officials have failed to meet the requirements of the Constitution and laws in providing the funds required thereby to pay the bonds at maturity.

In either case, I cannot approve a funding bond issue to replace bonds which have been issued, for the reason that if such proceedings could be invoked, the constitutional provisions would be a nullity, and officials could continue issuing bonds without complying with the constitutional requirements.

You are therefore advised that \$6,500.00 of these bonds are not legal and valid obligations of the Village of Glouster, and I therefore advise you not to purchase the same.

Respectfully,  
C. C. CRABBE,  
*Attorney General.*

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1823.

APPROVAL, BONDS OF SOUTH EUCLID, CUYAHOGA COUNTY, \$109,-  
100.00, FOR CONSTRUCTION OF WATER MAINS AND STREET IM-  
PROVEMENTS.

COLUMBUS, OHIO, October 2, 1924.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*

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1824.

APPROVAL, FINAL RESOLUTIONS, ROAD IMPROVEMENTS IN THE  
FOLLOWING COUNTIES: AUGLAIZE, 3 IN HENRY AND JEFFERSON.

COLUMBUS, OHIO, October 3, 1924.

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

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1825.

APPROVAL, FINAL RESOLUTION, ONE ROAD IMPROVEMENT IN  
CHAMPAIGN COUNTY.

COLUMBUS, OHIO, October 3, 1924.

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