

2788.

APPROVAL, BONDS OF BELLEVUE CITY SCHOOL DISTRICT, HURON
AND SANDUSKY COUNTIES—\$11,188.17.

COLUMBUS, OHIO, October 29, 1928.

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

2789.

APPROVAL, NOTES OF THE CITY OF COLUMBUS, FRANKLIN COUNTY
—\$140,000.00.

COLUMBUS, OHIO, October 29, 1928.

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

2790.

DISAPPROVAL, BONDS OF THE CITY OF HAMILTON, BUTLER COUNTY
OHIO—\$24,000.00.

COLUMBUS, OHIO, October 29, 1928.

Re: Bonds of the City of Hamilton, Butler County, Ohio, \$24,000.00.

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

GENTLEMEN:—I have examined the transcript relative to the above bonds, which are bonds issued in anticipation of the collection of special assessments levied to cover the cost of improving eleven alleys in the City of Hamilton.

The transcript reveals that on July 6, 1927, the council of the City of Hamilton passed a single resolution declaring the necessity of improving all of the alleys above referred to and that on August 17, 1927, the council passed a single ordinance determining to proceed with the improvement of all of said alleys above referred to. Section 4226, General Code, provides, in part, as follows:

“No ordinance, resolution or by-law shall contain more than one subject which shall be clearly expressed in its title. * * *.”

It has been held that the object of this provision is to prevent the combination of ordinances on two or more different subjects in order to assure the passage of one of the same (*Heffner vs. The City of Toledo*, 75 O. S. 413). See also *Gas and Water Co. vs. City of Elyria*, 75 O. S. 374.

In view of the decisions above referred to and the clear language of Section 4226, supra, I am of the opinion that there is no authority for combining the proceedings for the improvement of more than one street or alley and carrying the same out as one improvement.

The transcript is deficient in a great many other respects, but in view of the foregoing I am compelled to advise you not to purchase the above issue of bonds.

I am returning the transcript herewith.

Respectfully,
EDWARD C. TURNER,
Attorney General.