

GENTLEMEN:—Upon examination of the transcript submitted in connection with the above bonds, I find that the provisions of the Griswold Act, 109 O. L. 336, have not been complied with in the following particulars:

(1) The bond resolution fails to meet the requirements of section 14 of the Griswold Act in that they are not made payable "in substantially equal annual installments". The resolution as drawn provides that said bonds shall be of the denomination of \$1,000 each except the first bond which is for \$750.00. In the year 1923, \$1,750 falls due; in the years 1924 to 1927 inclusive, \$2,000 falls due each year; in the year 1928, \$3,000 falls due; and in the years 1929, 1930 and 1931, \$4,000 falls due each year. This is clearly in violation of the provisions of the Griswold Act referred to.

(2) The bond resolution provides that the first bond shall mature in April, 1923, which is also contrary to section 14 of the Griswold Act which provides that the first bond of the series shall not mature until after the final tax settlement with the county treasurer next following the inclusion of a tax for said bonds. Since the final tax settlement for taxes levied for 1922 does not occur until August, 1923, the first bond of the series should not mature until after August 10, 1923.

(3) The bond resolution fails to make provision for a deficiency tax levy as required by section 6929 G. C.

The transcript is deficient in other particulars but in view of the objections above noted, it will be useless to return it for correction and I therefore advise the industrial commission not to purchase these bonds.

Respectfully,  
JOHN G. PRICE,  
*Attorney-General.*

3161.

STATUS OF TITLE, PREMISES SITUATED IN COUNTY OF FRANKLIN,  
CLINTON TOWNSHIP, OHIO, BEING LOT NUMBER FIFTY-THREE  
IN WOOD BROWN PLACE ADDITION.

COLUMBUS, OHIO, June 1, 1922.

HON. CARL E. STEEB, *Secretary, Board of Trustees, Ohio State University, Columbus, Ohio.*

DEAR SIR:—You have submitted an abstract, last continued by John K. Kennedy, attorney-at-law, May 12, 1922, inquiring as to the status of the title to the following described premises as disclosed by said abstract:

Situated in the County of Franklin, in the State of Ohio, and the Township of Clinton, being lot number fifty-three (53) in Wood Brown Place Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, page 196, recorder's office, Franklin County, Ohio.

After careful examination it is believed that said abstract shows the title to said premises to be in the name of John C. Tyler, free from all encumbrances, except the taxes for the year 1922, which are undetermined, unpaid and a lien.

You have further submitted Encumbrance Estimate No. 3326, which contains the certificate of the director of finance to the effect that there are unencumbered balances legally appropriated in the sum of \$500.00 to cover the purchase of said premises.

Respectfully,  
JOHN G. PRICE,  
*Attorney-General.*

3162.

APPROVAL, BONDS OF STARK COUNTY, \$65,000, FOR ROAD  
IMPROVEMENTS.

COLUMBUS, OHIO, June 1, 1922.

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

Re: Bonds of Stark county, as follows:

For the improvement of Massillon-Orville road, Sec. C, \$65,000, printed as 1 bond, payable in 2 installments of \$8,000 each and 7 installments of \$7,000 each—6 per cent.

For the improvement of Minerva-Sandyville road, Sec. A. & Minerva, \$14,800, printed as 1 bond, payable in 6 installments of \$2,000 each, 2 installments of \$1,000 each and 1 installment of \$800—6 per cent.

GENTLEMEN:—I have examined the transcripts of the proceedings of the county commissioners and other officers of Stark county, relative to the above bond issues, and find the same regular and in conformity with the provisions of the General Code.

I am of the opinion that bonds for said issues with combined principal and interest coupons attached, drawn in accordance with the bond resolutions authorizing the same and in compliance with the resolution of the industrial commission adopted under authority of section 1465-58a G. C. will, upon delivery, constitute valid and binding obligations of said county.

In connection with the second issue of \$14,800, which appears as a purchase of \$15,000 in your resolution of April 17, 1922, the change in amount is due to an amendment of the bond resolution by the county commissioners wherein the amount of the issue was reduced so that it did not exceed the estimated cost of the improvement. The installments of this issue fall due as follows: \$2,000 on May 15th of each of the years 1924 to 1929, inclusive, \$1,000 on May 15 of each year of the years 1930 and 1931, and \$800 on May 15, 1932. I add this information so that you may correct your resolution of purchase.

Respectfully,  
JOHN G. PRICE,  
*Attorney-General.*