

etc." clearly showing that the legislature contemplated a reduction of and a refund on assessments already paid.

The statute does not specifically provide to whom the refund shall be paid. Presumably, the legislature, in providing a refund on a payment made, intended that payment of such refund should be made to the person making the original payment.

Answering your questions, I am of the opinion and you are advised that: (1) Under the provisions of Section 1214-3 of the General Code, 110 O. L. 363, a board of county commissioners is authorized and empowered to reduce an assessment made against benefited land owners on a road improvement constructed under the "state aid road law", from twenty-five to fifteen per cent in cases where the improvement was made before the law was passed and all assessments collected prior to the passage of the law; and (2) the refund on assessments is payable to the person who has paid the assessment.

Respectfully,

C. C. CRABBE,
Attorney General.

1630.

DISAPPROVAL, PUT-IN-BAY, OHIO WATER WORKS BONDS—\$9,000.00.

COLUMBUS, OHIO, July 25, 1924.

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

Gentlemen:—

Re: Put-in-Bay, Ohio Water Works Bonds—\$9,000.00,

I have examined the transcript for the foregoing issue of bonds, a portion of which has been purchased by you subject to the approval of the Attorney General.

I find that I cannot approve this issue of bonds for the following reasons: Section 2295-12, General Code, 110 O. L. 459, provides:

"All bonds hereafter issued by any county, municipality, including charter municipalities, school district, township or other political subdivision, shall be serial bonds maturing in substantially equal semi-annual or annual installments. If issued with semi-annual maturities, the first installment shall mature not earlier than the date fixed by law for the semi-annual provisional tax settlement between the county treasurer and the political subdivision or taxing district next following the time fixed by law for the inclusion of a tax for such issue in the annual budget by the county auditor as provided by law; and if issued with annual maturities, the first installment shall mature not earlier than the date fixed by law for the final annual tax settlement next following the said time of said inclusion. In either case the first installment shall mature not later than eleven months after said earliest date thereof."

In this case the bond ordinance recites "Whereas this council estimates that a tax for said bond will first appear upon the duplicate for the tax year 1924, and that the final tax settlement with the county treasurer next following the inclusion of a tax for this issue in the annual budget by the county auditor as provided by law, will be obtained not earlier than the first day of September, 1925."

It is provided in said ordinance that said bonds shall be dated January 1, 1924, with maturities beginning January 1, 1928, and ending on January 1, 1945.

In view of the fact that the maturities of these bonds are not in accordance with the provisions of the statute above cited, I cannot approve the purchase and delivery for the same and, therefore, advise the Retirement Board not to purchase said bonds.

Respectfully,
C. C. CRABBE,
Attorney General.

1631.

APPROVAL, BONDS OF SWANCREEK TOWNSHIP, FULTON COUNTY,
\$14,000.00—PURCHASED FROM RYAN, BOWMAN & CO., TOLEDO, OHIO.

COLUMBUS, OHIO, July 25, 1924.

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

1632.

APPROVAL, BONDS OF CITY OF LORAIN \$25,000.00—PURCHASED FROM
STRANAHAN, HARRIS AND OATIS.

COLUMBUS, OHIO, July 25, 1924.

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