

You have further submitted evidence indicating that plans were properly prepared and approved and contract duly awarded, as authorized by the Board of Control. Also it appears that the laws relating to the workmen's compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,
C. C. CRABBE,
Attorney General.

3086.

DISAPPROVAL, BONDS OF BEDFORD VILLAGE SCHOOL DISTRICT,
CUYAHOGA COUNTY, \$34,800.00.

COLUMBUS, OHIO, January 19, 1926.

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

Re: Bonds of Bedford village school district, Cuyahoga county, \$34,800.00.

GENTLEMEN:—I have examined the transcript submitted for the foregoing issue of bonds and find that the proceedings for said issue were begun and the bond resolution passed on August 7, 1925. This bond resolution provides that the bonds shall be dated May 1, 1925.

These proceedings have been passed subsequent to the taking effect of section 5654-1 of the General Code as passed by the 86th General Assembly, House Bill No. 316, and the provisions of this section have been complied with as to the issuance of the notes and bonds as provided therein, yet the bonds are to bear a date prior to the taking effect of said law which would necessarily be contrary to the intention thereof at least.

In the Opinions of the Attorney General, 1921, Volume I, page 168, we find the following:

“Upon examination of the transcript for the above bond issue I find that the resolution authorizing the issuance of the bonds was adopted November 10, 1920, and that it is provided in said bond resolution that the bonds shall be dated October 1, 1920. I find no provision in the General Code which authorizes a board of education to issue bonds bearing date prior to the date of the passage of the legislation authorizing their issuance. In fact, the General Code contains no provision relative to the dating of bonds issued under authority of section 5656. It cannot, however, be assumed that the mere absence of any provision will authorize the board of education to issue bonds which shall bear date prior to their authorizing act. If they are authorized to issue bonds bearing date six weeks prior to the bond resolution, by the same reasoning they could issue bonds bearing date a year or more prior to the bond resolution. This practice should not to say the least be approved, and I therefore advise you not to accept the bonds.”

For the two foregoing reasons I cannot approve this issue of bonds bearing the date of May 1, 1925.

Under the provisions of section 5654-1, General Code, the original bond resolution may be printed to conform to the contract price, and also as to the date and maturity of the bonds, but this amendment must be made before the bonds are advertised for sale, and as these bonds have been advertised for sale, and the advertisement thereof provided that the bonds shall be dated on May 1, 1925, you are advised that the bonds cannot be approved as issued and advertised for sale. You are therefore advised not to accept said bonds.

Respectfully,
C. C. CRABBE,
Attorney General.

3087.

APPROVAL, FINAL RESOLUTIONS ON IMPROVEMENTS IN MAHONING,
BUTLER, HARRISON, BROWN, JACKSON AND CUYAHOGA COUN-
TIES.

COLUMBUS, OHIO, January 22, 1926.

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

GENTLEMEN:—I am in receipt of your letters of January 22, 1926, enclosing for my approval certified copies of final resolutions on the following improvements:

Cleveland-East Liverpool Road, I. C. H. No. 12, Sec. M, Types B and C, Mahoning county.

Hamilton-Eaton Road, I. C. H. No. 180, Sec. G and part of H, Types B and C, Butler county.

Dennison National Road, I. C. H. No. 506, Sec. A and B, Harrison county.

Ripley-Hillsboro Road, I. C. H. No. 177, Sec. Ripley, Brown county.

Jackson-McArthur Road, I. C. H. No. 396, Sec. K-1, and K-2, Types A and B, Jackson county.

Cuyahoga Falls-Chagrin Falls Road, I. C. H. No. 91, Sec. Chagrin Falls, Types A and B, Cuyahoga county.

Chagrin Falls-Cuyahoga Falls Road, I. C. H. No. 91, Sec. B-2, Types A and B, Cuyahoga county.

I have carefully examined said resolutions, find them correct in legal form and and legal, and am therefore returning the same to you with my approval endorsed thereon in accordance with section 1218, General Code.

Respectfully,
C. C. CRABBE,
Attorney General.

3088.

APPROVAL, BONDS OF CITY OF KENMORE, SUMMIT COUNTY, \$11,800.00.

COLUMBUS, OHIO, January 22, 1926.

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