

and after finding that no remonstrances had been filed by the electors of the territory affected, the board of education for said new district was appointed as provided in said section 4736 G. C.

It is my opinion under these proceedings that the Graysville Village School District and the Washington Township School District ceased to exist on October 18, 1923, and "a new district" was created under the authority granted under section 4736 G. C.

Upon this assumption the subsequent acts of the boards of education of these districts became null and void, and the election of each district under such proceedings was of no effect.

Even if these districts did not cease to exist until November 20, 1923, when the final action of the board of education was taken by appointment of the board of education for the new district, then a further difficulty arises for the reason that it is now proposed that the board of education, and the officers thereof of the new district shall issue and sell the bonds that were authorized by two distinct and separate districts, and in two separate amounts of \$20,000.00 each.

No election was held by the Washington Township Special School District, and the electors have not legally authorized this new board of education to issue and sell any bonds whatever. The bonds to be issued will not have the signatures of the officers of the districts which have the proceedings for the issuance thereof.

I am therefore of the opinion that these bonds have not been legally issued by the board of education of the Washington Special School District, and advise the Industrial Commission not to purchase said bonds.

Respectfully,
C. C. CRABBE,
Attorney General.

1289.

APPROVAL, FINAL RESOLUTIONS, ROAD IMPROVEMENTS IN THE FOLLOWING COUNTIES: SHELBY, MORROW AND NOBLE.

COLUMBUS, OHIO, March 20, 1924.

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

1290.

APPROVAL, FOLLOWING LEASES, (11) OHIO CANAL LAND LEASES, (4) MIAMI AND ERIE CANAL LAND LEASES, (4) M. & E. CANAL WATER LEASES, (9) BUCKEYE LAKE RESERVOIR LAND LEASES, (5) INDIAN LAKE LAND LEASES, (5) LAKE ST. MARYS RESERVOIR LAND LEASES AND (2) PORTAGE LAKE RESERVOIR LAND LEASES.

COLUMBUS, OHIO, March 20, 1924.

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

GENTLEMEN:—I have your letter of March 7, 1924, in which you enclose the following leases, in triplicate, for my approval:

OHIO CANAL LAND LEASES

	Valuation
To The Baltimore & Ohio R. R. Co., Ohio Canal property at Akron, Railway Right of Way-----	\$22,833 33
To The Ohio Fuel Gas Company, Gas Pipe Line, Hocking Canal-----	12,500 00
To C. C. and Viola Coffman, Land at Akron-----	8,333 33
To D. H. Boyer and J. P. Lind, Canal Land, Portage Township, Sum- mit County, Ohio, Railroad Switch Right of Way-----	2,500 00
To E. D. Besst, Land in Canal Lewisville-----	400 00
To Joseph Cochran, Hocking Canal Land at Lancaster, Ohio-----	300 00
To Ethel L. and Roy West, Canal Land, Lafayette Township, Coshocton County, Ohio-----	241 67
To Mrs. Pearl Brode, Land in Newcomerstown, Ohio-----	216 67
To The East Ohio Gas Company, Land in Portage Township, Summit County, Ohio, Pipe Line Crossing-----	200 00
To The Coshocton County Forest, Field and Stream Protective Asso- ciation, Coshocton, Ohio, Propagation of Fish, Park and Recre- ation Purposes-----	100 00
To Frank W. Murray, Abandoned Canal Basin, Perry Township, Stark County, Ohio-----	200 00

MIAMI AND ERIE CANAL LANDS

	Valuation
To The Union Gas & Electric Co., Pole Line, for Electrical Trans- mission Wires-----	\$10,450 00
To The Piqua Amusement Co., Business Building Purposes, Piqua, Ohio	4,000 00
To William Gregory, Lock House and Lot at Lock No. 45, M. & E. Canal, near Maumee, Ohio-----	1,000 00
To E. A. and Joseph Busch, Land in Delphos, Ohio-----	416 67

WATER LEASES, M. & E. CANAL

	Valuation
To The Dayton Power and Light Company, Dayton, Ohio, 24" pipe supply from Mad River Feeder Canal, Dayton, Ohio-----	\$48,000 00
To The Ohio Gas and Electric Company, 6" Water Supply Pipe, Middle- town, Ohio-----	3,000 00
To Ricker Bros., 1½" Supply Pipe, Delphos, Ohio-----	900 00
To Minster Egg Case Co., 1" Supply Pipe at Lock No. 1, North of Loramie—Summit-----	400 00

BUCKEYE LAKE—RESERVOIR LAND LEASES

	Valuation
To Del M. Fisher, Benj. F. Gayman and Palmer Howard, Business Water Front and Building Lot, east half of Lot No. 54, east of Sayres' Boat House at Buckeye Lake (Renewal)-----	1,966 67
To The Del M. Fisher Boat Line Co., fifty feet of Water Frontage for Dock Landing Purposes, at Summerland Beach, south shore of Buckeye Lake-----	8,333 33

BUCKEYE LAKE—RESERVOIR LAND LEASES—Continued

	Valuation
To Clyde J. Knisely, Cottage Site and Landing, Embankment Lot No. 2, south of Lakeside, west shore of Buckeye Lake.....	400 00
To Adolph Eiselt, Embankment Lot No. 2-A, South of Lakeside, west shore of Buckeye Lake, cottage site purposes.....	400 00
To Silas Dew, Embankment Lot No. 49, south of Lakeside, west shore of Buckeye Lake, cottage site purposes.....	400 00
To James C. McCollam, south half of Embankment Lot No. 86, and north half of Embankment Lot No. 85, west of the waste gates, north shore of Buckeye Lake, cottage site purposes.....	400 00
To W. J. Temple, Embankment Lot No. 32, west of waste-way, north shore of Buckeye Lake, cottage site purposes.....	200 00
To Jos. John Eyerman, south half of Embankment Lot No. 46, south of Lakeside, west shore of Buckeye Lake, cottage site purposes....	200 00
To Anna Elizabeth Roessler, dock landing, south shore of Buckeye Lake, in front of Lot No. 132 of Bright's allotment, Summerland.....	100 00

INDIAN LAKE LAND LEASES

	Valuation
To Harry B. Hull, cottage site near Russels Point, Ohio.....	\$600 00
To Florence V. Howell, Embankment Lot No. 5, east of Stubb's Landing, Indian Lake, near Lakeview, cottage site purposes.....	400 00
To C. W. Heimsoth and E. T. Reid, Dock Landing, Indian Lake, at mouth of south fork of Miami River.....	400 00
To John P. Aikin, east half of Embankment Lot No. 2, east of Stubb's Landing at Indian Lake, near Lakeview.....	200 00
To Frank J. Busch, Dock Landing in front of Lot No. 138, of the allotment of Lands on Orchard Island in Indian Lake.....	100 00

RESERVOIR LAND LEASES—LAKE ST. MARYS

	Valuation
To Joseph Cain, Celina, Ohio, for Bathing Beach and General Purposes	\$1,500 00
To Miss Alice Sowers, Ashland, Ohio, for Cottage Site and Landing Purposes	200 00
To R. S. Hutchings, Embankment Lot No. 2, east shore of Lake St. Marys, Cottage Site and Business Purposes.....	1,250 00
To Frank Conrad, St. Marys, Ohio, Embankment Lot No. 13, east shore of Lake St. Marys, Cottage Site Purposes.....	400 00
To Mrs. Anna Richardson, south half of Embankment Lot No. 15, east shore of Lake St. Marys, Cottage Site Purposes.....	200 00

RESERVOIR LAND LEASES—PORTAGE LAKES

	Valuation
To Clarence L. Crummel et al., Dock Landing, etc., on bayou adjacent to Lots 20 to 27, inclusive, of Crawford & Meyers allotment at East Reservoir	\$450 00
To W. Oliver Wise, Jack Weaver and Frank Taylor, small island in West Reservoir, for public recreation purposes.....	100 00

I have carefully examined said leases, find them correct in form and legal, and am therefore returning the same with my approval endorsed thereon.

Respectfully,

C. C. CRABBE,
Attorney General.

1291.

SCHOOLS—AUTHORITY OF BOARD OF EDUCATION UNDER SECTION
7821-2 G. C.

SYLLABUS:

Two-year and three-year primary special elementary and high school certificates which are not re-renewals of certificates granted prior to May 17, 1914, may not now be renewed under section 7821-2 G. C.

COLUMBUS, OHIO, March 20, 1924.

HON. VERNON M. RIEGEL, *Director, Department of Education, Columbus, Ohio.*

DEAR SIR:—You have requested the opinion of this department on the following question:

“Is, or is not, the power implied in section 7821-2 for local county or city boards to renew two or three-year certificates that were permitted to expire without renewal?”

Section 7821-2 G. C. was amended in 109 O. L. 189 and reads as follows:

“Two-year and three-year primary, special elementary and high school certificates which are re-renewals of certificates granted prior to May 17, 1914, may be renewed an indefinite number of times by local boards of examiners upon proof that the holders continue to teach successfully.”

Prior to amendment section 7821-2 G. C. read thus:

“All two-year and three-year primary, elementary and high school certificates now granted shall continue in force until the end of their terms and may be renewed by county boards of examiners on proof of five years' successful teaching experience.”

Comparing these two statutes it is evident that the later enactment intends that only those certificates “which are re-renewals of certificates granted before May 17, 1914, may be renewed” by local boards of examiners under the condition imposed in the section.

Those teachers who might have had their certificates renewed but for some reason did not secure such renewals may not now have the privilege extended by the amended section. The language clearly so states. Had the legislature intended that such teachers could have their certificates renewed appropriate language could easily have been used to that effect. The legislature found no difficulty in section 7821-1 G. C., as to five and eight-year certificates when it said: