

938.

APPROVAL, BONDS OF FRANKLIN TOWNSHIP RURAL SCHOOL DISTRICT,
BROWN COUNTY, \$5,313.15, TO FUND CERTAIN INDEBTEDNESS.

COLUMBUS, OHIO, November 28, 1923.

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

939.

NOTES ISSUED BY SCHOOL DISTRICTS UNDER SECTION 5655 G. C. MUST
BE ISSUED WITH SAME FORMALITY AND SUBJECT TO THE RESTRICTI-
TIONS THAT "SERIAL" BONDS ARE UNDER GRISWOLD ACT.

SYLLABUS:—

Notes issued by a school district under House Bill No. 599 must be issued with all the formality and subject to the restrictions that "serial" bonds are under the Griswold Act.

COLUMBUS, OHIO, November 30, 1923.

HON. HAROLD E. KUHN, *Prosecuting Attorney, Millersburg, Ohio.*

DEAR SIR:—I am in receipt of your recent communication as follows:

"I submit the following statement of facts and request your opinion on the questions raised.

House Bill No. 599 provides for the funding of existing indebtedness by boards of education.

Section 4 of said bill requires each board of education having any such indebtedness in excess of four hundred dollars to issue the bonds or notes of the school district *in the manner provided by law.*

These questions arise:

I. In case notes are issued under section 4 of House Bill No. 599 must the notes be offered to either the sinking fund commissioners of the school district or to the Industrial Commission of Ohio?

II. In case notes are issued under section 4 of House Bill No. 599 must the notes be advertised for sale and be sold to the highest bidder as is the case when bonds are issued?

III. What procedure is necessary to make the notes valid?"

Section 5655-3, General Code of Ohio, as found in 110 O. L. p. 324, is as follows: