

3475.

APPROVAL, BONDS OF THORN TOWNSHIP RURAL SCHOOL DISTRICT,
\$10,000, FOR FUNDING CERTAIN INDEBTEDNESS OF THE DISTRICT.

COLUMBUS, OHIO, August 8, 1922.

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

3476.

APPROVAL, BONDS OF UNION COUNTY, \$45,000, FOR CONSTRUCTION
AND IMPROVEMENT OF BRIDGES.

COLUMBUS, OHIO, August 8, 1922.

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

3477.

DISAPPROVAL, BONDS OF CHESTER TOWNSHIP RURAL SCHOOL DIS-
TRICT, CLINTON COUNTY, \$20,000.

COLUMBUS, OHIO, August 8, 1922.

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

Re: Bonds of Chester Township Rural School District, Clinton county,
Ohio, \$20,000, for the purpose of constructing fire-proof addition and altera-
tions to a school building in said district.

GENTLEMEN:—I have made a careful examination of the transcript of the pro-
ceedings of the board of education of Chester Township Rural School District relating
to the above issue of bonds and find that I am unable to approve said issue for the
following reasons:

(1) The transcript shows that the resolution of the board of education provid-
ing for this issue of bonds was passed June 5, 1922, and that the certificate of the clerk
of the board of education with respect to the estimated life of the improvement for which
said bonds were to be issued and as to the maximum maturity of the bonds covering
said issue, was not filed by said clerk with the board of education until June 23, 1922.
Under the provisions of sections 2295-7 and 2295-10, General Code, as enacted in the
provisions of the Griswold Act, 109 O. L., 336, 338, certificate covering both of these

matters should be on file with the board of education before the resolution is adopted providing for the issue of bonds. This for the reason that the law contemplates that the certificate of the clerk covering these matters shall be for the guidance of the board in its subsequent action providing for the issue of the bonds.

(2) The resolution of the board of education providing for this issue of bonds does not fix the denomination or provide for the maturity of the bonds covering this issue. Within the limitations fixed by law both of these matters are in the discretion of the board of education and are to be evidenced by appropriate action on its part, taking the form of a resolution adopted by the board. In not providing for these matters the resolution is defective.

In this connection, I note that in the written communication of the board of education through its clerk to the Industrial Commission offering these bonds for sale to the Industrial Commission, it is recited that the bonds covering this issue are in the denomination of \$1,000 each and that one of said bonds matures on September 1st of each year from 1923 to 1943 inclusive. Aside from the fact that these maturity dates provide for an issue in the amount of \$21,000 instead of \$20,000 as intended, it must be noted that even if we consider the maturity date of the last bond of said issue to be September 1, 1942, such maturity date would be beyond the authorized maturity date of said last bond as fixed by the certificate of the clerk with respect to the maximum maturity of the bonds covering said issue, as by such certificate the maximum maturity of said bonds is fixed at twenty years, which under the statute must be figured from the date of the bonds, which in this instance as provided by the resolution is June 1, 1922.

(3) The transcript shows that this school district has an existing and outstanding bonded indebtedness in the sum of \$19,000. It does not appear that any board of sinking fund commissioners of said school district has been appointed and qualified, as provided by section 7614 G. C., nor of course does it appear that this proposed issue of bonds was offered to any such board of sinking fund commissioners, as required by sections 7619 and 1465-58 G. C.

In addition to the above, the resolution of the board of education providing for the submission of said bond issue proposition to the electors of the school district is defective in that it did not fix the date of the election.

By reason of the objections noted above, I am of the opinion that this is not a valid issue of bonds and that you should not purchase the same.

Respectfully,

JOHN G. PRICE,
Attorney-General.

3478.

STATUS, ABSTRACT OF TITLE, PREMISES SITUATE IN FRANKLIN TOWNSHIP, ROSS COUNTY, VIRGINIA MILITARY LANDS, .106 ACRES OF LAND.

COLUMBUS, OHIO, August 8, 1922.

HON. CARL E. STEEB, *Secretary Board of Control, Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—You have submitted an abstract certified by Harry B. Grace, abstractor, on June 24, 1922, and inquiring as to the status of the title of 106 acres of land situated in Franklin township, Ross county, Ohio, and being a part of survey No. 15356 of the Virginia Military lands. Said premises are fully described at the caption page of said abstract and said deed which are returned herewith.