

700.

## DISAPPROVAL, BONDS OF VILLAGE OF JEFFERSONVILLE, FAYETTE COUNTY, \$6,200.00.

COLUMBUS, OHIO, July 7, 1927.

In re: Bonds of the Village of Jeffersonville, Fayette County, \$6200.00.

*Industrial Commission of Ohio, Columbus, Ohio.*

GENTLEMEN:—From an examination of the transcript for the above bond issue, I find that the total amount of the value of all property as listed and assessed for taxation is shown in the transcript to be \$1,139,920. Section 3940, General Code, provides in effect that the total bonded indebtedness created by a municipality in any one fiscal year without a vote of the people shall not exceed one-half of one per cent of the total value of all property in such municipality as listed and assessed for taxation. The amount of the above bond issue exceeds the limitation set out in Section 3940, General Code.

This defect in the proceedings is fatal, and I am therefore compelled to advise you that the bonds should be rejected.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

701.

## APPROVAL, FINAL RESOLUTIONS ON ROAD IMPROVEMENTS IN ATHENS COUNTY, I. C. H. No. 159.

COLUMBUS, OHIO, July 7, 1927.

HON. GEORGE F. SCHLESINGER, *Director, Department of Highways & Public Works, Columbus, Ohio.*

702.

## DISAPPROVAL, BONDS OF VILLAGE OF RITTMAN, WAYNE COUNTY, \$10,000.00.

COLUMBUS, OHIO, July 7, 1927.

Re: Bonds of the Village of Rittman, Wayne County, \$10,000.00.

*Industrial Commission of Ohio, Columbus, Ohio.*

GENTLEMEN:—I have examined what purports to be a transcript pertaining to an issue of \$10,000.00 of bonds of the Village of Rittman, to cover the cost of the im-

provement of Sterling Avenue in said village. The transcript is apparently partly a ranscript for bonds covering the village's portion of the cost of said improvementt and partly a transcript for Special Assessment Bonds issued in anticipation of the levy and collection of special assessments. The bonds which your Commission proposes to purchase are apparently the Special Assessment Bonds and not the bonds covering the village's portion of the cost of the improvement.

The transcript is very deficient in a great many particulars, but I note that the ordinance providing for the issuance of Special Assessment Bonds was passed on March 21, 1927, and that the date of maturity of the first bond as fixed by said ordinance is May 1, 1928. The bonds are issued with annual maturities. Section 2295-12, General Code, provides that if bonds are issued with annual maturities the first instalment shall mature not earlier than the first day of the second September next following the fifteenth day of July next following the passage of the ordinance or resolution authorizing such bonds.

It is clear therefore that the first instalment of said bond issue could not mature earlier than the first day of September, 1928.

Section 2294, General Code, provides in part that the advertisement for the sale of bonds shall state the law or section of law authorizing the issue. The advertisement for the sale of the bonds recites that said bonds were issued under authority of Section 3939 of the General Code, whereas said bonds have been issued under Section 3914 General Code.

For the above reasons I am compelled to advise you that the bonds should be rejected.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

703.

DISAPPROVAL, ABSTRACT OF TITLE TO LAND IN SALEM TOWNSHIP,  
JEFFERSON COUNTY, OHIO.

COLUMBUS, OHIO, July 8, 1927.

HON. CHAS. V. TRUAX, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—You have submitted for my opinion a form of deed and an abstract of title prepared by R. G. Porter of Steubenville, Ohio, up to June 1, 1927, covering the following described land situate in Salem Township, Jefferson County, Ohio, to-wit:

Tract No. 1. Being the northeast quarter of Section No. 24, in Township No. 10, Range No. 3, in said county, excepting the portion thereof heretofore deeded by Alexander Riley to Alexander Morrison, the portion hereby conveyed containing 146 acres, and 155 rods, more or less.

Tract No. 2. Also one other piece or parcel of land situate in said Township of Salem and County of Jefferson, and described as follows: Being the west half of the northwest quarter of Section No. 18, in Township No. 10, and Range No. 3, in said County, and containing 84.61 acres of land, more or less.

Upon examination of the abstract, I am of the opinion that the same shows a good and merchantable title to both of said tracts in Mike Longo, subject to the following: