

3666.

DISAPPROVAL, BONDS OF MAPLE HEIGHTS VILLAGE SCHOOL DISTRICT, CUYAHOGA COUNTY, \$30,000.00.

COLUMBUS, OHIO, October 18, 1922.

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

Re: Bonds of Maple Heights Village School District, Cuyahoga County, \$30,000.00.

GENTLEMEN:—Transcript for the above bond issue discloses that said bonds were issued under authority of section 7630-1 G. C. for the purpose of providing funds to complete the construction of a school building and to furnish the same.

It appears further that the erection of said school building was commenced with funds secured by a bond issue under authority of section 7625 G. C. upon approval of the electors of the district, and that the board of education has exhausted the funds raised under this former bond issue and is attempting to secure further funds through a bond issue under said section 7630-1 G. C. based upon an order of the Industrial Commission of Ohio prohibiting the use of said building until the same is completed.

I seriously doubt the authority of the board of education to voluntarily create a situation (by letting a contract for an incomplete building) wherein the board can exercise the unusual authority conferred by said section 7630-1 G. C. this was certainly not the legislative intent.

It is, however, unnecessary to pass upon this particular question at this time as the bond resolution recites that a part of the bond issue is for furnishing a new school building, and it has been uniformly held by this department that section 7630-1 G. C., at least prior to its amendment in the Griswold Act, did not authorize the issuance of bonds to furnish a school house erected to replace one which had been condemned by the Industrial Commission. Opinions of the Attorney General, Volume 1, 1919, p. 871; Vol. 1, 1920, p. 825. The amendment to this section just referred to did not extend the purposes for which bonds may be issued thereunder.

It is therefore my opinion that the bonds under consideration are not valid obligations of the Maple Heights Village School District, and I advise the Industrial Commission to decline to purchase the same.

Respectfully,
JOHN G. PRICE,
Attorney-General.

3667.

APPROVAL, BONDS OF VILLAGE OF MAPLE HEIGHTS, CUYAHOGA COUNTY, \$6,700 FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, October 19, 1922.

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