

The transcript shows that of the aggregate amount of this bond issue, to-wit, the sum of \$100,000, the sum of \$2,600 is for the specific purpose of purchasing a site and payment of balance due on existing school property; \$89,817 is for the erection of a fire-proof school house; \$4,583 is for interest on proposed bonds and \$3,000 is for furniture and furnishings for said school house.

It has been quite uniformly held by this department in construing the provisions of section 7630-1 G. C. prior to its recent amendment in the enactment of the Griswold Act, so-called, that said section did not authorize a board of education to issue bonds for the purpose of purchasing a new site for the erection of a school house to replace one which had been condemned by the Division of Workshops and Factories of the Industrial Commission of Ohio. Opinions of Attorney-General, 1914, Volume II, page 1128; Opinions of Attorney-General, 1919, Volume I, page 871. Likewise, although the question is probably a somewhat closer one, this department has held in construing the provisions of said section 7630-1 before its recent amendment that its provisions did not authorize a board of education to issue bonds under the authority of said section for the purpose of furnishing a school house erected to replace one which had been condemned in the manner above stated. Opinions of Attorney-General, 1919, Volume 1, page 871; Opinions of Attorney-General, Volume I, page 825, 1920.

By reason, therefore, of the inclusion in this issue of bonds for said unauthorized purpose, I am required to disapprove said issue and advise you not to purchase the same. Inasmuch as said issue is one by the board of education without a vote of the electors it is probable that said bond issue is invalid only to the extent of the amount covered by said unauthorized purpose, but inasmuch as you have not in your resolution indicated any purpose to purchase any part of said issue other than the whole issue provided for by the resolution of the board of education I feel that I have no discretion to do otherwise than to disapprove said issue for the reasons above stated.

Respectfully,

JOHN G. PRICE,
Attorney-General.

3587.

APPROVAL, BONDS OF HENRY COUNTY, \$49,000, FOR ROAD
IMPROVEMENTS.

COLUMBUS, OHIO, September 8, 1922.

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

88.

35

APPROVAL, CONTRACT OF STATE OF OHIO WITH J. O. BOWERS AND
W. J. GILMORE FOR REDECORATING TOILET ROOM OPPOSITE
OFFICE OF ATTORNEY-GENERAL, STATE HOUSE ANNEX, AT A
COST OF \$86.00.

COLUMBUS, OHIO, September 9, 1922.

*Department of Highways and Public Works, Division of Public Lands and Buildings,
Columbus, Ohio.*

GENTLEMEN:—Your letter of September 7, 1922, has been received enclosing for examination by this office a proposed contract and papers, as noted in your letter,