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DISAPPROVAL, BONDS OF ROME TOWNSHIP RURAL SCHOOL DISTRICT, ATHENS COUNTY, \$10,000, TO REPAIR AND COMPLETE SCHOOL BUILDING.

COLUMBUS, OHIO, October 27, 1922.

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

Re: Bonds of Rome Township Rural School District, Athens County, \$10,000, to make the necessary repairs and additions to the present old and new building and to complete these buildings as called for by the Department of Industrial Relations, Division of Workshops, Factories and Public Buildings.

GENTLEMEN :—This is an issue of bonds under the assumed authority of section 7630-1 G. C. for the above stated purpose, and I find that I am unable to approve this issue for the reason that there is no finding in the resolution of the board of education providing for this bond issue that it is not practicable to secure the funds to make such repairs and improvements under any of the sections of the General Code numbered from 7625 to 7630 inclusive.

In order that a bond issue under section 7630-1 G. C. may be authorized it must not only affirmatively appear that the use of the school house or school houses for their intended purpose has been prohibited by an order of the Department of Industrial Relations through the Division of Workshops, Factories and Public Buildings, but it must also affirmatively appear that the board of education is unable to obtain the necessary funds by an issue of bonds either under sections 7629 and 7630 or under sections 7625, 7626 and 7627 of the General Code.

As above noted, this finding of fact is not made in the resolution, nor is there anything elsewhere in the transcript from which any such finding can be made, and for this reason I do not feel that this issue of bonds under section 7630-1 G. C. can be justified.

In addition to the above objection, I entertain grave doubts as to whether or not the order of the Division of Workshops, Factories and Public Buildings can be relied upon as a predicate for this issue of bonds as sufficient for the purpose.

The order for the improvements required to be made states it shall be complied with before December 1st, 1922, but nowhere therein is there any express prohibition with respect to the use of said building for school purposes unless said order be complied with.

The above objections require my disapproval of this issue of bonds, and I therefore advise that said issue be not purchased by you.

Respectfully,

JOHN G. PRICE,

*Attorney-General.*