

in view of the circumstances under which the city was acting at the time this contract was made, it in good faith had elected to regard the construction of each section as a matter distinct and independent of the other, and had proceeded to contract separately for each section, neither would have originally involved an expenditure of five hundred dollars and, therefore, it might not have fallen within the provisions of section 2303 as to advertising for bids."

In this connection, I deem it pertinent to further advise you that if in the construction of a road improvement, due to some unforeseen contingency it were discovered that an extra work contract was necessary, and the estimated cost of such extra work was of such an amount that competitive bidding might, under the statute, be dispensed with, and such extra work was let by private contract, and thereafter, acting in good faith, the county commissioners discover that, through some unforeseen contingency, it is necessary to provide for additional extra work, the estimated cost of which would be such as to permit the dispensing with competitive bidding, under the statute, the county commissioners would be authorized to let such extra work by private contract.

Respectfully,  
C. C. CRABBE,  
*Attorney General.*

---

1288.

DISAPPROVAL, BONDS OF WASHINGTON TOWNSHIP SPECIAL  
SCHOOL DISTRICT, MONROE COUNTY, \$20,000.00.

COLUMBUS, OHIO, March 19, 1924.

Re: Bonds of Washington Township Special School District, Monroe County. \$20,000.00.

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

GENTLEMEN:—I have examined the transcript covering the foregoing bond issue and find that I am compelled to disapprove the same for the following reasons:

On October 17, 1923, the board of education of Graysville Village School District passed a resolution declaring the necessity of a bond issue as provided in section 7625 G. C. for the purpose of erecting and equipping a high school building, and presumably on the same date, the board of education of the Washington Township School District passed a similar resolution for the same purpose, and each providing for the calling of an election upon the question of issuing bonds in the sum of \$20,000.00 for said purposes.

Each district gave notice and held an election on November 6, 1923, for this purpose, and the issues were approved in each instance by a large majority of the electors.

On October 18, 1923, the county board of education by resolution under the provisions of section 4736 G. C. created "a new school from all the two aforesaid school districts to be known as the Washington Special School District, Monroe County, Ohio."

On November 20th, 1923, the county board of education by resolution declared that the said board of education created "a new district." On October 18, 1923,

and after finding that no remonstrances had been filed by the electors of the territory affected, the board of education for said new district was appointed as provided in said section 4736 G. C.

It is my opinion under these proceedings that the Graysville Village School District and the Washington Township School District ceased to exist on October 18, 1923, and "a new district" was created under the authority granted under section 4736 G. C.

Upon this assumption the subsequent acts of the boards of education of these districts became null and void, and the election of each district under such proceedings was of no effect.

Even if these districts did not cease to exist until November 20, 1923, when the final action of the board of education was taken by appointment of the board of education for the new district, then a further difficulty arises for the reason that it is now proposed that the board of education, and the officers thereof of the new district shall issue and sell the bonds that were authorized by two distinct and separate districts, and in two separate amounts of \$20,000.00 each.

No election was held by the Washington Township Special School District, and the electors have not legally authorized this new board of education to issue and sell any bonds whatever. The bonds to be issued will not have the signatures of the officers of the districts which have the proceedings for the issuance thereof.

I am therefore of the opinion that these bonds have not been legally issued by the board of education of the Washington Special School District, and advise the Industrial Commission not to purchase said bonds.

Respectfully,  
C. C. CRABBE,  
*Attorney General.*

---

1289.

APPROVAL, FINAL RESOLUTIONS, ROAD IMPROVEMENTS IN THE FOLLOWING COUNTIES: SHELBY, MORROW AND NOBLE.

COLUMBUS, OHIO, March 20, 1924.

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

---

1290.

APPROVAL, FOLLOWING LEASES, (11) OHIO CANAL LAND LEASES, (4) MIAMI AND ERIE CANAL LAND LEASES, (4) M. & E. CANAL WATER LEASES, (9) BUCKEYE LAKE RESERVOIR LAND LEASES, (5) INDIAN LAKE LAND LEASES, (5) LAKE ST. MARYS RESERVOIR LAND LEASES AND (2) PORTAGE LAKE RESERVOIR LAND LEASES.

COLUMBUS, OHIO, March 20, 1924.

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

GENTLEMEN:—I have your letter of March 7, 1924, in which you enclose the following leases, in triplicate, for my approval: