

2578.

DISAPPROVAL, BONDS OF CITY OF EAST LIVERPOOL, OHIO, IN
AMOUNT OF \$3,456 FOR SEWER CONSTRUCTION.

COLUMBUS, OHIO, November 16, 1921.

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

Re: Bonds of the city of East Liverpool in the amount of \$3,456.00 in anticipation of the collection of special assessments for the improvement of Sewer District No. 1, by constructing a six-inch sanitary sewer in Oak street.

GENTLEMEN:—The transcript discloses that the bonds under consideration were issued under authority of Ordinance No. 1791, which ordinance provides for the levy and collection of special assessments and also for the issuance of bonds in anticipation of the collection of special assessments in the amount of \$3,829.00. The transcript recites that said ordinance was not published. A former Attorney-General in an opinion found in Vol. II, Opinions of the Attorney-General for 1918, at page 1079, held that an ordinance authorizing the issuance of bonds in anticipation of the collection of special assessments is an ordinance of a general nature and must be published. I am in accord with the conclusion expressed in this opinion and the reasons supporting such conclusion.

Since the ordinance authorizing the issuance of these bonds was not published, it is without force and effect and the officers of the city were without authority to issue bonds thereunder. I am therefore of the opinion that the bonds under consideration are not valid and binding obligations of the city of East Liverpool and advise the industrial commission not to accept the same.

The transcript is incomplete in other particulars, but in view of the defect above referred to it would be useless at this time to go into the matter further.

Respectfully,
JOHN G. PRICE,
Attorney-General.

2579.

DISAPPROVAL, BONDS OF CITY OF EAST LIVERPOOL, OHIO, IN
AMOUNT OF \$28,798 FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, November 16, 1921.

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

Re: Bonds of the city of East Liverpool in the amount of \$28,798.00 in anticipation of the collection of special assessments for the improvement of a portion of St. Clair avenue, 1 bond payable in 4 installments of \$5,700 each and 1 installment of \$5,998.

GENTLEMEN:—The transcript discloses that the bonds under consideration were issued under authority of Ordinance No. 1793, which ordinance provides

for the levy and collection of special assessments and also for the issuance of bonds in anticipation of the collection of special assessments in the amount of \$29,249.00. The transcript recites that said ordinance was not published. A former Attorney-General in an opinion found in Vol. II, Opinions of the Attorney-General for 1918, at page 1079, held that an ordinance authorizing the issuance of bonds in anticipation of the collection of special assessments is an ordinance of a general nature and must be published. I am in accord with the conclusion expressed in this opinion and the reasons supporting such conclusion.

Since the ordinance authorizing the issuance of these bonds was not published, it is without force and effect and the officers of the city were without authority to issue bonds thereunder. I am therefore of the opinion that the bonds under consideration are not valid and binding obligations of the city of East Liverpool and advise the industrial commission not to accept the same.

The transcript is incomplete in other particulars, but in view of the defect above referred to it would be useless at this time to go into the matter further.

Respectfully,
JOHN G. PRICE,
Attorney-General.

2580.

DISAPPROVAL, BONDS OF CITY OF EAST LIVERPOOL, OHIO, IN
AMOUNT OF \$29,254 FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, November 16, 1921.

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

Re: Bonds of the city of East Liverpool in the amount of \$29,254.00 in anticipation of the collection of special assessments for the improvement of a portion of Lisbon and West Eighth streets, 1 bond payable in 4 installments of \$5,800 each and 1 installment of \$6,054.00.

GENTLEMEN:—The transcript discloses that the bonds under consideration were issued under authority of Ordinance No. 1795, which ordinance provides for the levy and collection of special assessments and also for the issuance of bonds in anticipation of the collection of special assessments in the amount of \$35,088.00. The transcript recites that said ordinance was not published. A former Attorney-General in an opinion found in Vol. II, Opinions of the Attorney-General for 1918, at page 1079, held that an ordinance authorizing the issuance of bonds in anticipation of the collection of special assessments is an ordinance of a general nature and must be published. I am in accord with the conclusion expressed in this opinion and the reasons supporting such conclusion.

Since the ordinance authorizing the issuance of these bonds was not published, it is without force and effect and the officers of the city were without authority to issue bonds thereunder. I am therefore of the opinion that the bonds under consideration are not valid and binding obligations of the city of East Liverpool and advise the industrial commission not to accept the same.