From the provisions of the section above quoted, it appears that the vote of the electors authorizing the issue of bonds for the above stated purpose was required to be taken at a general election. Inasmuch as a vote on the question of this bond issue was not taken at a general election, said issue is not authorized and the proceedings of the board of township trustees relating thereto are wholly invalid.

In addition to the objection to the proceedings above noted, an examination of the transcript discloses a number of other objections sufficient to prevent my approval of the issue, unless corrected, but inasmuch as the objection above indicated herein is of such nature as to require my disapproval of this issue, no good purpose will be served so far as you are concerned by disclosing the other objections noted.

As above indicated, I am of the opinion that this issue of bonds is invalid and that you should not purchase the same.

Respectfully,
JOHN G. PRICE,
Attorney-General.

3522.

DISAPPROVAL, BONDS OF STRYKER VILLAGE SCHOOL DISTRICT, WILLIAMS COUNTY, $12,500, FOR FUNDING CERTAIN INDEBT-EDNESS.

COLUMBUS, OHIO, August 19, 1922.

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

Re: Bonds of Stryker Village School District, Williams county, $12,500, for the purpose of funding and thereby extending the time of payment of certain indebtedness, which said school district is unable to pay at maturity by reason of its limits of taxation.

GENTLEMEN:—I have examined the transcript submitted of the proceedings of the board of education of Stryker Village School District relating to the above issue of bonds, and find that I am required to disapprove said issue for the following reasons:

1. The first bond of the series of bonds covering this issue, according to the provisions of the bond resolution, matures March 1, 1923. This provision of the bond resolution is in violation of the provisions of section 2295-12 G. C., 109 O. L. 344. Assuming that the tax levy for said sinking fund purposes with respect to this issue of bonds has been carried into the 1922 budget of the school district, it is apparent from the provisions of said section that said first bond should not mature earlier than on or about September 1, 1923.

2. The resolution of the board of education providing for this issue does not contain any finding or determination by the board that the indebtedness sought to be funded by said issue of bonds is an existing, valid and binding obligation of said school district as required by section 5658 G. C.

3. Some of the items of indebtedness, the amounts of which do not appear, arise out of contract obligations which fail within the provisions of section 5660 G. C. and are not excepted therefrom by the provisions of section 5661 G. C., or by any other provisions of law. The items of indebtedness that I refer to are those mentioned in the bond resolution as supplies, coal, repairs and supplies for auto bus. The items of indebtedness arising out of contracts for the employment of teachers and other

employes of the board are of course legal. If anything of this kind is intended to be covered by said bond issue, it is not apparent. The other amounts above mentioned are legal obligations which come under the provisions of sections 5656 and 5658 G. C. and they can be funded under said sections.

4. It appears from the transcript that this school district has an existing and outstanding bonded indebtedness in a large amount and it does not appear that the board of education of said school district has provided for the appointment and qualification of a board of sinking fund commissioners as required by section 7614 G. C. Neither does it appear that this issue of bonds has been offered to said board of sinking fund commissioners as required by sections 7619 and 1465-58 G. C.

5. It does not appear from the transcript that a copy of the bond resolution has been certified to the county auditor as required by section 5649-1b G. C.

6. The final statement made a part of said transcript is not sufficient for the reason that it does not set out the tax rates for all purposes upon the taxable property of said school district with a statement of the relation of said respective rates to the different limitations of the Smith one per cent law.

By reason of the objections above noted, this issue of bonds is disapproved and you are advised not to purchase same.

Respectfully,
JOHN G. PRICE,
Attorney-General.

3523.

DISAPPROVAL, BONDS OF PIKE COUNTY, $2,450, FOR ROAD
IMPROVEMENTS.

COLUMBUS, OHIO, August 19, 1922.

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

Re: Bonds of Pike county, $2,450, for the purpose of paying the county's share of the cost and expense of the improvement of section C-1 of I. C. H. No. 5, in said county.

GENTLEMEN:—Upon an examination of the transcript submitted to me of the proceedings of the board of county commissioners and all other officers relating to the above issue of bonds, I find that I am required to disapprove said issue for the following reasons:

1. The first bond of the series of bonds covering this issue matures September 1, 1926. The provisions of the bond resolution of the board of county commissioners providing for said maturity date with respect to said first bond is contrary to the provisions of section 14 of the Griswold Act, which has been carried into the General Code as section 2295-12. If the tax for said sinking fund purposes with respect to said bond issue has been included in the 1922 budget of said county, the maturity date of said first bond under said provisions of the General Code is required to be not later than eleven months after the final tax settlement between the county treasurer and the county next following the inclusion of said tax, which would be not later than eleven months after September 1, 1923.

In any event, it is obvious that the maturity date of said first bond as fixed by said bond resolution cannot be legally justified under the provisions of said section of the General Code.