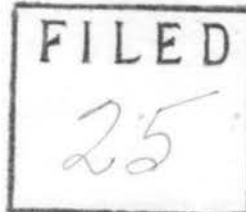


BONDS - Voted and unused can still be used if purpose for
voted still exists. ✓

May 10, 1933.



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Hon. Melvin Englehart
Prosecuting Attorney
Madison County
Fredericktown, Missouri

Dear Mr. Englehart:

Answering your inquiry of April 11, 1933, in regard
to the following:

"In the April School Election in 1931 'U' School
District in this county, voted, by two thirds
majority, to bond the district for enough money
to build a new school building. Then the trans-
portation law in this state became effective and
the students graduating from the rural school were
transported to another school. At the present the
old building is condemned by the county health
officer and a new school must be built. Would the
bonds that are now issued under the 1931 election
be legal? No bonds were ever issued under the 1931
election and the board wants to know if it will be
necessary to hold another election. No election has
been held since 1931 to vote bonds or a tax sufficient
to carry the bonds."

It is our opinion that if no action has been taken to
cancel or rescind the action of the school meeting in April
election 1931, the bonds could still be issued and would be
legal, if the purpose and need for which they were voted in
1931 still exists, and the use and purpose for which they were
voted continues.

State ex rel. Muns v. Hackmann, 283 Mo. 469.

Yours very truly,

Geo. B. Strother
GEO. B. STROTHER
Assistant Attorney-General.

APPROVED:

ROY McKITTRICK
Attorney-General.