

eral Code, bonds were advertised for sale, which advertisement set forth the maturities as provided in a resolution of the board of trustees adopted June 10, 1929. The date of first maturity of this issue as so determined and advertised was October 1, 1930. Pursuant to such advertisement these bonds were awarded on July 12, 1929.

Section 2293-12, General Code, provides that when bonds are issued with annual maturities, as in the case here, the first installment shall not mature earlier than the first day of the second September next following the 15th day of July next following the passage of the resolution authorizing the issue of such bonds. This section further provides that the first installment shall mature not later than eleven months after such earliest possible date of maturity. The bonds having been properly authorized May 24, 1928, at the time of the authorization of the notes, it is manifest that the date of earliest maturity may not be earlier than September 1, 1929, nor later than August 1, 1930. As indicated in Opinion No. 861, directed to your commission under date of September 12, 1929, I am of the opinion that in the event the bond resolution were amended so as to change the maturity dates, the issue should be re-advertised pursuant to the provisions of Section 2293-28, General Code.

The transcript is incomplete in other respects in that it should contain certification of assessments levied to the county auditor; offer of notes to the sinking fund trustees and rejection by such body, and evidence of sale; affidavit in proof of publication of notice advertising for bids for the improvement; proceedings of trustees awarding contract pursuant thereto; and certificate of the county auditor acknowledging receipt of resolution awarding the bonds when sold at a different rate of interest than advertised and specified in the advertisement.

These last mentioned matters could, of course, be corrected, but in view of the question of maturities, as hereinabove commented upon, I am compelled to advise you not to purchase these bonds.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*

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931.

APPROVAL, BONDS OF CLEVELAND CITY SCHOOL DISTRICT, CUYA-HOGA COUNTY—\$25,000.00.

COLUMBUS, OHIO, September 28, 1929.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*

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932.

APPROVAL, BONDS OF MARION TOWNSHIP RURAL SCHOOL DISTRICT, FRANKLIN COUNTY—\$130,000.00.

COLUMBUS, OHIO, September 28, 1929.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*