

3784.

APPROVAL, LEASE OF FIFTH FLOOR OF PURE OIL BUILDING, COLUMBUS, OHIO, TO HIGHWAY DEPARTMENT FOR USE OF THE DEPARTMENT OF HEALTH, FOR THE TERM OF TWO YEARS AT YEARLY RENTAL OF \$14,803.25.

COLUMBUS, OHIO, November 3, 1926.

HON. G. F. SCHLESINGER, *Director of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my consideration a lease where in the Gasco Realty Company grants to the Department of Highways and Public Works, for the Department of Health, the entire fifth floor of the Pure Oil Building at 246 North High Street, Columbus, as an office and for no other purpose, for the term of two years commencing on October 1, 1926, for the yearly rental of \$14,803.25, payable in equal monthly installments between the first and tenth day of each month.

Finding said lease in proper legal form, I hereby approve the same as to form and return it herewith.

However, your attention is called to the fact that it will be necessary for you to obtain the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated sufficient to cover the obligations of this lease, before the same is finally accepted by your department.

Respectfully,

C. C. CRABBE,  
*Attorney General.*

3785.

DISAPPROVAL, BONDS OF VILLAGE OF KENMORE, SUMMIT COUNTY, \$15,000.00.

COLUMBUS, OHIO, November 3, 1926.

Re: Bonds of Village of Kenmore, Summit County, \$15,000.00.

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

GENTLEMEN:—The foregoing bonds are issued under the provisions of section 3939 of the General Code and the bond ordinance for the issuance of the same provides that the amount of the bonds in the sum of \$15,000.00 shall mature as follows—\$5,000.00 on October 1st of the years 1935, 1936 and 1937.

The affidavit of the publishers as shown by the transcript recites that the bonds were advertised for sale for four weeks commencing on September 13, 1917 and giving notice of the sale of the bonds on October 5, 1917.

Section 3924 of the General Code provides that municipal bonds shall be advertised for sale for four consecutive weeks in two newspapers of general circulation in the municipality. In the case of *State vs. Kuhner and King*, 107 O. S., 406, the court held as follows:

“The requirement of section 1206, General Code, that ‘the state highway commissioner shall advertise for bids for two consecutive weeks’ is manda-

tory, and the contract entered on June 14 for advertisement in two weekly newspapers of the county on June 6th and June 13th is invalid."

As the provisions of section 3924 of the General Code are to the same effect as the provisions of section 1206 of the General Code, it must be conceded that the foregoing bonds have not been advertised and sold in accordance with the preceding statutory provisions and for that reason you are advised not to accept said bonds.

Respectfully,

C. C. CRABBE,  
*Attorney General.*

---

3786.

APPROVAL, BONDS OF WALBRIDGE VILLAGE SCHOOL DISTRICT,  
WOOD COUNTY, \$25,000.00.

COLUMBUS, OHIO, November 3, 1926.

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

---

3787.

DISAPPROVAL, BONDS OF OTTAWA COUNTY, \$44,000.00.

COLUMBUS, OHIO, November 3, 1926.

Re: Bonds of Ottawa County, \$44,000.00.

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

GENTLEMEN:—After an examination of the transcript for the foregoing issue of bonds the officials of the county were requested to furnish additional information and corrections for said issue in the following respects:

1. The affidavit of the publisher giving notice of the hearing on the objections and claims by property owners affected by the improvement.

2. The bond resolution was passed on August 9, 1926, and amended on September 7, 1926, and provided that the first maturities of said bonds should be on October 4, 1927. As these maturities were not in accordance with the provisions of section 2295-12 of the General Code, herein quoted, the request was made that the bond resolution should be amended to conform to the provisions of said section.

Section 2295-12 G. C. "All bonds hereafter issued by any county, municipality, including charter municipalities, school district, township or other political subdivision, shall be serial bonds maturing in substantially equal semi-annual or annual installments. If issued with semi-annual maturities, the first installment shall mature not earlier than the first day of March next