

3012.

APPROVAL—ARTICLES OF INCORPORATION, THE OHIO HOSPITAL MUTUAL INSURANCE COMPANY — SEE OPINIONS 2819, AUGUST 15, 1938—2885, AUGUST 27, 1938.

COLUMBUS, OHIO, September 24, 1938.

HON. WILLIAM J. KENNEDY, *Secretary of State, Columbus, Ohio.*

DEAR SIR: I have examined the articles of incorporation of The Ohio Hospital Mutual Insurance Company which you have submitted for my approval.

Finding the same not to be inconsistent with the Constitution or laws of the United States or of the State of Ohio, I have endorsed my approval thereon and return the same to you herewith.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

3013.

DISAPPROVAL—BONDS OF BLADENSBURG RURAL SCHOOL DISTRICT, KNOX COUNTY, OHIO, \$36,300.00. OVERRULED BY OPINION 3275, NOVEMBER 19, 1938.

COLUMBUS, OHIO, September 26, 1938.

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

GENTLEMEN:

RE: Bonds of Bladensburg Rural School District, Knox County, Ohio, \$36,300.00.

I have examined the transcript relative to the above bond issue and will be unable to approve the same for the following reasons:

In the resolution of necessity, the maturities therein set forth covered a period of 18½ years. In the resolution to proceed, the maturities likewise were therein specified covering 18½ years although the form of ballot provided for a maturity of nineteen years. The ballot submitted to the electors at the special election held July 21, 1938, provided for a 19 year spread. The bond resolution passed July 22, 1938, cut the maturities down to 18 years, namely, from April 1 and October 1, 1940, to and inclusive April 1 and October 1, 1957. I note that the bonds were

sold at public sale, your system being the successful bidder, and for that reason you bid upon an issue covering an 18 year spread.

In light of the case of *State, ex rel. vs. Kees*, 125 O. S. 578, and the principles of law therein enunciated by the Supreme Court, I will be unable to approve this transcript and advise your System against the purchase of the same.

Respectfully,

HERBERT S. DUFFY,

*Attorney General.*

3014.

APPROVAL—BONDS OF CITY OF TOLEDO, LUCAS COUNTY,  
OHIO, \$1,000.00, PART OF ISSUE DATED MAY 1, 1929.

COLUMBUS, OHIO, September 27, 1938.

*Retirement Board, State Public School Employes Retirement System,  
Columbus, Ohio.*

GENTLEMEN :

RE: Bonds of City of Toledo, Lucas County, Ohio,  
\$1,000.00.

The above purchase of bonds appears to be part of an issue of bonds of the above city dated May 1, 1929. The transcript relative to this issue was approved by this office in an opinion rendered to the Teachers Retirement System under date of December 4, 1933, being Opinion No. 1951.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,

HERBERT S. DUFFY,

*Attorney General.*