

weeks and on the same day of the week, in a newspaper having general circulation in the county where the bonds are issued, and, if the amount of bonds to be sold exceeds twenty thousand dollars, like publications shall be made in an additional newspaper having general circulation in the state."

The provisions that the bonds shall be advertised for three consecutive weeks is mandatory and this statute must be construed to require at least twenty-one days from the first publication prior to the day of sale.

This conclusion is based upon the case of State of Ohio vs. Kuhner and King, 107 O. S., page 406, in which the court held:

"The requirement of section 1206, General Code, that 'the state highway commissioner shall advertise for bids for two consecutive weeks,' is mandatory, and the contract entered on June 14 for advertisement in two weekly newspapers of the county on June 6th and June 13th is invalid."

For the reasons set forth in this case under section 2294 G. C. wherein the requirement is made for *three consecutive weeks*, it must necessarily be concluded that an advertisement for any less period of time will likewise be invalid.

For the reason that the foregoing issue of bonds has not been advertised the proper length of time, as required by this statute, I am therefore compelled to disapprove the same, and advise you not to purchase these bonds.

Respectfully,

C. C. CRABBE,  
*Attorney-General.*

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1785.

APPROVAL, BONDS OF VILLAGE OF CUYAHOGA HEIGHTS, CUYAHOGA COUNTY, \$30,000.00, FIRE DEPARTMENT BONDS.

COLUMBUS, OHIO, September 22, 1924.

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

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1786.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE ELCON ENGINEERING COMPANY, OF COLUMBUS, OHIO, FOR CONSTRUCTION AND COMPLETION OF REMODELING OF SEWERAGE SYSTEM FOR OHIO HOSPITAL FOR EPILEPTICS, GALLIPOLIS, OHIO, AT COST OF \$12,970.00—SURETY BOND EXECUTED BY THE GLOBE INDEMNITY COMPANY.

COLUMBUS, OHIO, September 23, 1924.

HON. L. A. BOULAY, *Director, Department of Highways and Public Works, Columbus, Ohio.*

Dear Sir:—

You have submitted for my approval a contract between the State of Ohio,

acting by the Department of Highways and Public Works and The Elcon Engineering Company, of Columbus, Ohio. This contract covers the construction and completion of remodeling of sewerage system for Ohio Hospital for Epileptics, Gallipolis, Ohio, and calls for an expenditure of \$12,970.00.

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. There has further been submitted a contract bond upon which the Globe Indemnity Company appears as surety, sufficient to cover the amount of the contract.

It is further noted that the Board of Control authorized the entering into of the contract with the said Elcon Engineering Company. Also it appears that the laws relating to the status of surety companies and workmen's compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,  
C. C. CRABBE,  
*Attorney-General.*

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1787.

APPROVAL, FINAL RESOLUTION, ONE ROAD IMPROVEMENT IN  
PREBLE COUNTY.

COLUMBUS, OHIO, September 23, 1924.

*Department of Highways and Public Works, Division of Highways, Columbus, Ohio.*

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1788.

TWO ABSTRACTS, STATUS OF TITLE, THE FIRST CONTAINING 134 ACRES OF LAND, MORE OR LESS, SITUATED IN FRANKLIN TOWNSHIP, ROSS COUNTY, OHIO, AND THE SECOND CONTAINING 231¼ ACRES OF LAND, MORE OR LESS, SITUATED IN FRANKLIN TOWNSHIP, ROSS COUNTY, OHIO.

COLUMBUS, OHIO, September 23, 1924.

HON. CARL E. STEEB, *Secretary Ohio Agricultural Experiment Station, Columbus, Ohio.*

Dear Sir:—

This will acknowledge receipt of two abstracts, two deeds and incumbrance estimate submitted by your office to this department for our examination and opinion.