

of the Uniform Bond Act, effective August 10, 1927, provided that bonds sold by a municipal corporation shall be to the highest and best bidder after publication of notice of such sale for four consecutive weeks.

I am of the opinion that these proceedings were pending within the meaning of Section 26, General Code, prior to the repeal of Section 3924, the declaratory resolutions passed pursuant to Section 3814 having been passed prior to the effective date of such repeal, and consequently the award of these bonds pursuant to publication of notice of bond sale for three weeks was not a valid award. *Toledo vs. Marrow*, 8 O. C. C. (N. S.) 121; affirmed 75 O. S. 574.

In view of the foregoing, I advise you not to purchase these bonds.

Respectfully,

GILBERT BETTMAN,
Attorney General.

1277.

APPROVAL, ONE GAME REFUGE LEASE.

COLUMBUS, OHIO, December 9, 1929.

HON. J. W. THOMPSON, *Commissioner, Division of Conservation, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval lease No. 2066, wherein Edwin Shuey, Jr., grants to the state for game refuge purposes for the term of five years, 1302.04 acres situate in the Township of Moorefield in Clark County.

Finding said lease in proper legal form, I have accordingly endorsed my approval thereon and return the same herewith.

Respectfully,

GILBERT BETTMAN,
Attorney General.

1278.

ELECTION—HELD UPON QUESTION OF BOND ISSUE WITHOUT STATUTORY PUBLICATION OF NOTICE—VALIDITY TO BE DETERMINED BY COURT.

SYLLABUS:

The question of the validity of an election authorizing the issuance of bonds when there has been a failure to strictly comply with the provisions of Section 2293-21, General Code, relative to the publication of notice of such election, is one for determination by a proper court upon consideration of all the facts in a specific case.

COLUMBUS, OHIO, December 10, 1929.

HON. W. S. PAXSON, *Prosecuting Attorney, Washington C. H., Ohio.*

DEAR SIR:—Your letter of recent date is as follows:

“At the general election held on November 5th last, there was submitted to the electors of this county the question of issuing bonds in the amount of \$100,000.00 for the construction of a county hospital. The county