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## DISAPPROVAL, BONDS OF OTTAWA COUNTY, \$14,800.00.

COLUMBUS, OHIO, October 22, 1924.

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

Re: Bonds of Ottawa County, \$14,800.00.

Gentlemen :—

Transcript submitted in connection with the above bond issue has been examined and I find that these bonds have been advertised for sale in two newspapers. In each case the affidavit of the publisher discloses that the advertisements were carried for three consecutive weeks, beginning on the 9th day of May, 1924, and the sale of the bonds provided for on May 26th, 1924.

Section 2294 G. C. provides that all bonds issued by boards of county commissioners, boards of township trustees, and commissioners of free turnpikes shall be sold to the highest bidder after being advertised once a week for three consecutive 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 the bonds to be sold exceeds twenty thousand dollars, like publication shall be made in an additional newspaper having general circulation in the state.

In the case of *State of Ohio vs. Kuhner and King*, 107 O. S., page 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 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.”

Applying the same interpretation to section 2294 G. C., which contains the same language in respect to the consecutive weeks, such bonds which have been sold in any time less than three full weeks from the date of the first publication must necessarily be construed as in violation of the provisions of this statute.

As I cannot approve any bond issue in which there has not been compliance with the statutes providing for the issuance thereof, I must necessarily in this case disapprove the issue and advise that said bonds be rejected by you.

Respectfully,

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

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## APPROVAL, FINAL RESOLUTION COVERING THE FOLLOWING IMPROVEMENT: SECTION “TORONTO” OF I. C. H. NO. 7, JEFFERSON COUNTY.

COLUMBUS, OHIO, October 24, 1924.

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