

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 American Guaranty Company appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, informal bids were taken and tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the 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.

2853.

APPROVAL, BONDS OF MIAMI CONSERVANCY DISTRICT, \$1,000.00

COLUMBUS, OHIO, October 10, 1925.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

2854.

APPROVAL, BONDS OF OXFORD TOWNSHIP, GUERNSEY COUNTY,
\$14,427.35.

COLUMBUS, OHIO, October 9, 1925.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

2855.

DISAPPROVAL, BONDS OF VILLAGE OF HUDSON, SUMMIT COUNTY,
\$4,000.00.

COLUMBUS, OHIO, October 9, 1925.

Re: Bonds of Village of Hudson, Summit County, \$4,000.00.

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

GENTLEMEN:—I have examined the transcript for the foregoing issue of bonds and find that I cannot approve the same for the following reasons:

1. The bond ordinance was passed on August 4, 1925, and provided that the bonds should mature on October 1st in each of the years 1926 to 1929, both inclusive. Section 2295-12 G. C., as amended in 111 O. L., page 88, provides as follows:

"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 following the fifteenth day of July next following the passage of the ordinance or resolution authorizing such bonds; and if issued with annual maturities, the first installment shall mature not earlier than the first day of the second September next following said fifteenth day of July. In either case the first installments shall mature not later than eleven months after said earliest date thereof."

It will therefore be observed that the maturities of these bonds are not in accordance with the provisions of this act.

2. The affidavit of the publisher, giving notice of the sale of the bonds, recites that the notice has been published four consecutive weeks, commencing on the 5th day of September, 1925, and giving notice of the sale of the bonds on September 29, 1925.

Section 3924, General Code, provides that municipal bonds shall be advertised for sale in two newspapers for four consecutive weeks. 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."

On account of the failure of the transcript to show compliance with the provisions of the foregoing statute, I am compelled to disapprove said issue, and you are advised not to accept said bonds.

Respectfully,
C. C. CRABBE,
Attorney General.

2856.

APPROVAL, BONDS OF VILLAGE OF MAPLE HEIGHTS, CUYAHOGA COUNTY, \$127,240.71.

COLUMBUS, OHIO, October 9, 1925.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.