

But a more cogent reason exists for my conclusion. The advertisement which you have submitted to me does not give notice of the sale of bonds but does something entirely different. What the notice does is to request interested financial houses to submit to the Authority proposals "embodying complete, comprehensive and detailed plans for financing the construction or acquisition of said hospital buildings." This was no notice of a sale of bonds. There was no definite plan for the sale of bonds adopted by the Authority and there were no competitive bids offering to buy bonds pursuant to a proper notice of the sale thereof.

Before bonds may be issued under the law, including Section 2332-7, *supra*, they must be authorized by resolution of the Authority, and such resolution must strictly conform to and meet the conditions and requirements contained in such section. It does not appear that the Authority ever passed such a resolution and legislated any bonds into existence. Until such bonds are legally *in esse*, they cannot be sold at public sale as required by law, and for this, as well as the other reasons above given, it necessarily follows that the Authority can make no valid contract at this time under alternate (b) of the so-called bid above set forth.

In specific answer to your second question, it is my opinion, and you are advised, that :

A sale without advertisement by the Public Institutional Building Authority of the bonds proposed to be issued by it under authority of Sections 2332-4, 2332-7 and related sections, to A. and Company, on the terms specified under alternate (b) of the bid submitted by such company, would not constitute a public sale of such bonds, which bonds may only be sold at public sale after proper legal notice thereof.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1165.

ARTICLES OF INCORPORATION—UNIONE PUBLIESE DI-
MUTUO SOCCORSO.

COLUMBUS, OHIO, September 9, 1939.

HON. EARL GRIFFITH, *Secretary of State, Columbus, Ohio.*

DEAR SIR: You have submitted for my approval the proposed articles of incorporation of the Unione Publiese di Mutuo Soccorso.

Upon examination, I find the purpose clause thereof not to be inconsistent with the Constitution and Laws of the United States or the

Constitution and Laws of the State of Ohio, and I have therefore noted my approval thereon and same is transmitted to you herewith.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1166.

BONDS—CITY OF CLEVELAND, CUYAHOGA COUNTY,
\$10,000.00.

COLUMBUS, OHIO, September 11, 1939.

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

GENTLEMEN :

RE: Bonds of the City of Cleveland, Cuyahoga County,
Ohio, \$10,000.

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise part of an issue of hospital bonds in the aggregate amount of \$626,000, and bearing interest at the rate of 4½% per annum.

From this examination, in the light of the law under authority of which the above bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute valid and legal obligations of said city.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1167.

BONDS—COLUMBUS CITY SCHOOL DISTRICT, FRANKLIN
COUNTY, \$25,000.00.

COLUMBUS, OHIO, September 11, 1939.

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

GENTLEMEN :

RE: Bonds of Columbus City School District, Franklin
County, Ohio, \$25,000.

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise part of a \$567,000 issue