

1607.

DISAPPROVAL, BONDS OF CONCORD TOWNSHIP RURAL SCHOOL DISTRICT, HIGHLAND COUNTY—\$10,000.00.

COLUMBUS, OHIO, March 12, 1930.

Re: Bonds of Concord Township Rural School District, Highland County, Ohio, \$10,000.00.

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

GENTLEMEN: An examination of the transcript pertaining to the above issue of bonds discloses that the notice of election was published for four consecutive weeks beginning on October 9, 1929, which was twenty-seven days before the election.

This notice was published pursuant to the provisions of Section 2293-21 of the General Code, requiring that such notices of election shall be published in one or more newspapers of general circulation in the subdivision once a week for four consecutive weeks prior thereto.

Following the decision of the Supreme Court of Ohio in the case of *State vs. Kuhner and King*, 107 O. S., 406, this office has repeatedly held that in the absence of a decision by a proper court to the contrary, publication of the notice of election for a period less than twenty-eight days is not a sufficient compliance with Section 2293-21 of the General Code. Opinion No. 309, rendered under date of April 15, 1929; Opinions of Attorney General, 1928, Vol. I, p. 23.

In view of the foregoing, I am compelled to advise you not to purchase the above issue of bonds.

Respectfully,

GILBERT BETTMAN,
Attorney General.

1608.

CITY BOARD OF HEALTH—MEMBER MAY BE INTERESTED IN FIRM WHICH SELLS SUPPLIES TO CITY.

SYLLABUS:

A firm in which a member of a city board of health has an interest, may legally sell supplies to the city in which such board is established, when such supplies are for departments other than the board of health and if such purchase is in an amount less than fifty dollars.

COLUMBUS, OHIO, March 12, 1930.

Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.

GENTLEMEN:—I am in receipt of your recent communication as follows:

“In a letter dated March 18, 1924, the Attorney General advised the bureau that a member of a city board of health could legally be appointed and serve as superintendent of the city hospital at the same time. The concluding paragraph of the letter reads: