

ion may be made in the discharge of an administrative duty rather than in his strictly judicial capacity.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

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398.

DISAPPROVAL, BONDS OF CITY OF EAST LIVERPOOL, COLUMBIANA COUNTY, OHIO—\$9,540.00.

COLUMBUS, OHIO, April 27, 1927.

Re: Bonds of city of East Liverpool, Columbiana county, \$9,540.00.

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

GENTLEMEN:—Upon examination of the transcript for the above bond issue I note that there is supplied the affidavit of the publisher showing publication of the notice of the bond sale for four consecutive weeks commencing on February 25, 1927. The bond sale occurred on March 22, 1927. The last publication accordingly occurred on March 18th, hence a full week did not elapse between the date of the last publication and the day of sale.

In construing a similar section requiring the publication of notice the Supreme Court in the case of State of Ohio vs. Kuhner and King, 107 O. S. 406, held that the statutory provision requiring publication for a given number of weeks means that a full week must expire after the date of the last publication and before the happening of the event advertised.

In this case only four days elapsed and the notice was therefore ineffective. Section 3924, General Code, requires four weeks publication in two newspapers printed and of general circulation in the county. The one publication in this case having been insufficient it is unnecessary to consider whether or not there was publication in a second newspaper for the proper time. The transcript, however, shows only the publication in one newspaper.

For the reason that I have above indicated, there was no valid sale of these bonds and the issue must therefore be disapproved.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

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399.

DISAPPROVAL, ABSTRACT OF TITLE TO LAND IN HANOVER TOWNSHIP, COLUMBIANA COUNTY, OHIO.

COLUMBUS, OHIO, April 27, 1927.

HON. GEORGE F. SCHLESINGER, *Director of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—I have examined the encumbrance estimate and abstract of title purporting to cover Tract No. 15, Guilford Lake Park, consisting of 77.71 acres, more or less, standing in the name of E. C. Charlton.