

3520.

APPROVAL, BONDS OF VILLAGE OF MEDINA, MEDINA COUNTY,
\$20,000.00.

COLUMBUS, OHIO, July 12, 1926.

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

3521.

APPROVAL, BONDS OF HOLMES COUNTY, \$26,300.00.

COLUMBUS, OHIO, July 12, 1926.

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

3522.

DISAPPROVAL, BONDS OF CITY OF DEFIANCE, DEFIANCE COUNTY,
\$6,522.30.

COLUMBUS, OHIO, July 12, 1926.

Re: Bonds of city of Defiance, Defiance County, \$6,522.30.

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

GENTLEMEN:—An examination of the transcript for the foregoing issue of bonds discloses that the notice of the sale of the bonds was published in The Hicksville News Tribune four days, beginning on June 10, 1926, and in The Defiance Crescent News twice beginning on June 18, 1926, both notices to the effect that the bids would be received upon the bonds until July 3, 1926.

Section 3924 of the General Code provides that municipal bonds shall be sold to the highest and best bidder after publishing notice thereof for four consecutive weeks in two newspapers printed and of general circulation in the county where such municipal corporation is situated.

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."

It will, therefore, be observed that said bonds have not been advertised and sold in accordance with the provisions of section 3924 of the General Code and for that reason you are advised not to accept the bonds.

Respectfully,
C. C. CRABBE,
Attorney General.

3523.

DISAPPROVAL, BONDS OF CITY OF KENMORE, SUMMIT COUNTY,
\$58,500.00.

COLUMBUS, OHIO, July 12, 1926.

Re: Bonds of city of Kenmore, Summit County, \$58,500.00.

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

GENTLEMEN:—The transcript as submitted for the foregoing issue of bonds does not contain the resolution declaring the necessity for the improvement or the ordinance determining to proceed, and also does not show service of notice of the passage of the declaratory resolution on the property owners.

The transcript contains the affidavit of the publisher of the Beacon Journal to the effect that said notice was published for three consecutive weeks, commencing on June 11, 1926.

The affidavit of the publisher of the Times Press shows publication for four consecutive weeks, commencing on June 12, 1926, and each notice to the effect that the bids were to be received until July 6, 1926.

Section 3924 of the General Code provides that municipal bonds shall be sold to the highest and best bidder after publishing notice thereof for four consecutive weeks in two newspapers printed and of general circulation in the county where such municipal corporation is situated.

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."

It will, therefore, be observed that these bonds have not been advertised and sold in accordance with the provisions of section 3924 of the General Code and for