

2589.

APPROVAL, THE FOLLOWING LEASES: 12 LAKE ST. MARYS LEASES, 3 INDIAN LAKE LEASES, 2 PORTAGE LAKE LEASES, 1 BUCKEYE LAKE LEASE, 2 MIAMI AND ERIE CANAL LEASES, 4 OHIO CANAL LEASES, 2 M. & E. CANAL LEASES, AND 2 OHIO CANAL LEASES.

COLUMBUS, OHIO, June 22, 1925.

*Department of Highways and Public Works, Division of Public Works, Columbus, Ohio.*

GENTLEMEN:—I have your letter of June 19, 1925, in which you enclose the following leases in triplicate for my approval:

<i>Lake St. Marys</i>	<i>Valuation</i>
Wm. Jasperson, land, north shore -----	\$3500.00
Harold G. Neely, land, north shore -----	1500.00
Mrs. Etta Goggin, cottage site, west bank -----	200.00
John Gibson, cottage site, east bank -----	200.00
H. H. Brinkmeyer, cottage site, east bank -----	200.00
Dr. J. T. Gibbons, cottage site, east bank -----	200.00
M. J. Wikoff, cottage site, east bank -----	200.00
Joseph F. Glaser, cottage site, east bank -----	200.00
Geo. E. Courson, cottage site, east bank -----	200.00
Emerson Rudolph, cottage site, east bank -----	200.00
Clarence Humphrey, cottage site, east bank -----	200.00
Harley Winans, dock landing, etc. -----	150.00
 <i>Indian Lake</i> 	
S. L. Wilgus, trestle bridge, bathing beach, near Russells Point--	\$3333.34
Bertie Clark, dock landing, etc. -----	666.67
A. I. Wood and Henry Blum, dock landing, etc. -----	666.67
 <i>Portage Lakes</i> 	
A. H. Commins, bathing beach, dock landing, East Reservoir, Summit county -----	\$ 833.34
H. J. Berrodin, boat house, dock landing and walkway, at East Reservoir -----	100.00
 <i>Buckeye Lake</i> 	
The Standard Oil Co., site for oil tank, boat house, etc., east bank	\$1000.00
 <i>Miami and Erie Canal</i> 	
Reginald G. Albertus, land at Defiance, 60x81 feet -----	\$ 600.00
City of Delphos, for street purposes -----	500.00
 <i>Ohio Canal</i> 	
L. R. Cox, land at Groveport -----	\$ 200.00
The Ohio Service Co., right to locate three poles on canal land--	200.00
James Tucker, one acre, Hocking canal at Haydenville -----	100.00
Isaac Walton League, boy scout camp in Lawrence township, Tuscarawas county -----	100.00

<i>Water Leases, M. and E. Canal</i>	
Ft. Loramie Milling Co., 1 inch pipe -----	\$ 400.00
The Delphos Water Works, 1½ inch pipe -----	900.00
<i>Water Leases, Ohio Canal</i>	
Fulton Drop Forge Co., Canal Fulton, 2 inch pipe -----	\$1600.00
C. R. Thornton, Turkey Foot Channel, 2 inch pipe -----	600.00

I have carefully examined said leases, find them correct in form and legal, and am therefore returning the same with my approval endorsed thereon.

Respectfully,  
C. C. CRABBE,  
*Attorney General.*

2590.

DISAPPROVAL, BONDS OF VILLAGE OF CADIZ, HARRISON COUNTY,  
\$5,370.00.

COLUMBUS, OHIO, June 22, 1925.

Re: Bonds of Village of Cadiz, Harrison County, \$5,370.00.

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

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

1. The two affidavits of the publishers, giving notice of the sale of bonds, are to the effect that said bonds are advertised for sale for three consecutive weeks, commencing on the 30th day of April, 1925, and giving notice of the sale of the bonds on May 29th, 1925.

Section 3924 of the General Code provides in part:

“The sale of bonds by municipal corporations shall be to the highest and best bidder, after establishing notice thereof for four consecutive weeks, in two newspapers printed and of general circulation in the county where such municipal corporation is situated. \* \* \*”

It is therefore observed that the publication for three weeks as shown by the transcript would not be in accordance with the provisions of this statute, and for that reason it cannot be held that these bonds have been legally advertised and sold.

2. The transcript does not contain any proof of publication giving notice of the assessments as required by section 3895, General Code, as the bonds that are now issued under the provisions of section 3914, General Code, are only issued in anticipation of the collection of assessments. Such assessments must be legally made and the statutory requirements complied with before the bonds can be approved under the provisions of this section.

3. The transcript does not contain any proofs of publication of the various ordinances and resolutions providing for the issue. It is possible that the officials in preparing the transcript have not furnished all the information concerning the two latter objections, but the failure to advertise as required by section 3924, Gen-