

3336.

APPROVAL, ARTICLES OF INCORPORATION OF "THE COLOSSAL INSURANCE UNION."

COLUMBUS, OHIO, May 6, 1926.

HON. THAD H. BROWN, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—I am returning to you herewith the articles of incorporation of "The Colossal Insurance Union" with my approval endorsed thereon.

Respectfully,

C. C. CRABBE,
Attorney General.

3337.

APPROVAL, BONDS OF NOBLE COUNTY, \$15,500.00.

COLUMBUS, OHIO, May 6, 1926.

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

3338.

APPROVAL, BONDS OF EAST YOUNGSTOWN CITY SCHOOL DISTRICT, MAHONING COUNTY, \$25,000.00.

COLUMBUS, OHIO, May 6, 1926.

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

3339.

DISAPPROVAL, BONDS OF WEST VIEW RURAL SCHOOL DISTRICT, MUSKINGUM COUNTY, \$5,000.00.

COLUMBUS, OHIO, May 6, 1926.

Re: Bonds of West View Rural School District, Muskingum County, \$5,000.00.

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

GENTLEMEN:—An examination of the transcript for the foregoing issue of bonds discloses that said bonds were advertised for sale on April 10th, 17th and 24th, 1924, and giving notice that said bonds were to be sold on April 29, 1924.

Section 2294 of the General Code provides that such bonds shall be advertised for three consecutive weeks and applying the decision of the Supreme Court, 107

O. S., page 406. it is observed that in accordance with the ruling as found there, it is necessary that such advertisement shall run for the full period of twenty-one days.

The provisions of section 2294 G. C. have been held to be mandatory. The foregoing advertisement has not been in accordance with said ruling, and for that reason it cannot be said that said bonds have been legally sold. For that reason, you are advised not to accept the same.

Respectfully,
C. C. CRABBE,
Attorney General.

3340.

DISAPPROVAL, BONDS OF NORWICH SPECIAL SCHOOL DISTRICT
NO. 1, FRANKLIN COUNTY, \$15,000.00.

COLUMBUS, OHIO, May 6, 1926.

Re: Bonds of Norwich Special School District No. 1, Franklin County, \$15,000.00.

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 election was published in a newspaper on October 7th, 14th, 21st and 28th, and giving notice of said election on November 3, 1925.

Section 5649-9b G. C. provides that such publication shall be given for four consecutive weeks prior to the election.

The advertisement of the bond sale as shown by the affidavit of the publisher was made on April 6th, 13th and 20th, 1925, and giving notice of the sale of the bonds on April 21, 1925.

Section 2294 G. C. provides that such notice shall be published for three consecutive weeks prior to the date of sale. 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 5th and June 13th is invalid.”

In accordance with this decision of the Supreme Court, both of the foregoing publications have not been in accordance therewith, and as the provisions of these sections are mandatory, it will be observed that the notice of the election has not been legally given and that the bonds have not been legally sold.

For these reasons, you are advised that the foregoing issue will not constitute legal and valid obligations of the school district, and you are advised not to accept the same.

Respectfully,
C. C. CRABBE,
Attorney General.