

1180.

DISAPPROVAL, BONDS OF THE CITY OF TROY, MIAMI COUNTY, OHIO  
—\$14,850.00.

COLUMBUS, OHIO, October 20, 1927.

Re: Bonds of the City of Troy, Miami County, \$14,850.00.

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

GENTLEMEN:—Under date of September 30, 1927, I wrote a letter to the firm of brokers who have offered the above bonds to your board requesting six additional items of information which the transcript did not contain. In said communication I called attention to the fact that the transcript showed only one proof of publication of the bond sale advertisement and requested a proof of publication in another newspaper. I am today in receipt of a letter from said firm of brokers, in which it is stated that the city auditor of the City of Troy advises that through error said notice was published in but one newspaper and that proof of publication in another newspaper cannot be supplied. None of the other five items of information requested have been furnished.

Section 3924, General Code, which was in effect at the time the above bonds were issued, provides in part:

“Sales of bonds, other than to the trustees of the sinking fund of the city or to the board of commissioners of the sinking fund of the city school district as herein authorized, by any municipal corporation, shall be 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, setting forth the nature, amount, rate of interest and length of time the bonds have to run, with the time and place of sale. \* \* \*”

Inasmuch as Section 3924, supra, has not been complied with, and inasmuch as the other five items of information requested in my letter of September 30, 1927, above referred to have not been furnished, I am compelled to advise you not to purchase the above issue of bonds:

Respectfully

EDWARD C. TURNER,  
*Attorney General.*

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“DEALER”—WHEN SUBJECT TO PENALTY FOR FAILURE TO PAY GASOLINE TAX.

*SYLLABUS:*

1. A “dealer” who fails to pay the excise tax as provided in Section 5531 of the General Code is subject to a penalty of fifteen per cent as provided in Section 5533 of the General Code.