

667.

APPROVAL, BONDS OF CITY OF OAKWOOD, MONTGOMERY COUNTY—
\$58,985.93.

COLUMBUS, OHIO, July 25, 1929.

Industrial Commission of Ohio, Columbus, Ohio.

668.

APPROVAL, BONDS OF MEIGS COUNTY—\$16,500.00.

COLUMBUS, OHIO, July 25, 1929.

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

669.

DISAPPROVAL, BONDS OF BOWLING GREEN TOWNSHIP, MARION
COUNTY—\$2,977.49.

COLUMBUS, OHIO, July 25, 1929.

Re: Bonds of Bowling Green Township, Marion County, Ohio, \$2,977.49.
Retirement Board, State Teachers Retirement System, Columbus, Ohio.

GENTLEMEN :—An examination of the transcript of proceedings relative to the above issue of bonds discloses that, pursuant to the requirements of Section 3296-15a, General Code, notice that estimated assessments had been made and were on file, was published for two consecutive weeks, the first publication being September 19, 1928. This notice fixed the date of hearing objections to such assessments as September 28, 1928, nine days after the date of first publication. Following the principle laid down in the case of *State of Ohio vs. Kuhner and King*, 107 O. S. 406, this office has repeatedly held that the statutory requirement of a publication for two consecutive weeks requires that fourteen days elapse from the date of first publication before such notice is complete. The transcript discloses that on September 28, 1929, the assessments in question were adopted, approved and confirmed. I am of the opinion that the statutory time for the filing objections to the assessments not having been given, the adoption and confirmation thereof on September 28, 1928, was invalid.

The transcript is incomplete in other respects in that there is not included therein schedule of estimated assessments as prepared by the county surveyor nor is there included certification of the assessments to the county auditor.

In view of the fact, however, that the transcript discloses that the provisions of Section 3298-15a have not been complied with as commented upon above, I am compelled to advise you not to purchase the above bonds.

Respectfully,
GILBERT BETTMAN,
Attorney General.

670.

APPROVAL, BONDS OF WASHINGTON TOWNSHIP, MORROW COUNTY
—\$567.43.

COLUMBUS, OHIO, July 25, 1929.

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

671.

APPROVAL, BONDS OF TULLY TOWNSHIP, MARION COUNTY—
\$11,207.51.

COLUMBUS, OHIO, July 25, 1929.

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

672.

HEALTH BOARD—DISTRICT—ORDERS MAY REFER TO STATUTORY
PENALTY FOR THEIR VIOLATION.

SYLLABUS:

An order of a district board of health made pursuant to the provisions of Section 1261-42, General Code, intended for the general public, may contain a reference to the statutory penalty for violation of such orders, which penalty is set forth in Section 4414, General Code. If references to a penalty is made in such order, it should be so worded as to clearly indicate that the district board of health is not fixing the penalty.

COLUMBUS, OHIO, July 26, 1929.

HON. E. B. UNVERFERTH, *Prosecuting Attorney, Ottawa, Ohio.*

DEAR SIR:—Your letter of recent date is as follows:

“Section 1261-42 of the General Code of Ohio reads as follows:

“The board of health of a general health district may make such orders