

1140.

APPROVAL, CERTIFICATES OF AMENDMENT TO ARTICLES OF INCORPORATION OF THE BUCKEYE UNION CASUALTY COMPANY.

COLUMBUS, OHIO, October 13, 1927.

HON. CLARENCE J. BROWN, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—I am returning to you herewith the certificate of amendment to the articles of incorporation of The Buckeye Union Casualty Company, with my approval endorsed thereon.

Respectfully,
EDWARD C. TURNER,
Attorney General.

1141.

APPROVAL, NOTE OF MIAMI RURAL SCHOOL DISTRICT, CLERMONT COUNTY, OHIO—\$2,100.00.

COLUMBUS, OHIO, October 13, 1927.

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

1142.

APPROVAL, NOTE OF DEER PARK VILLAGE SCHOOL DISTRICT, HAMILTON COUNTY, OHIO—\$14,000.00.

COLUMBUS, OHIO, October 13, 1927.

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

1143.

DISAPPROVAL, BONDS OF THE CITY OF KENT, PORTAGE COUNTY, OHIO—\$32,566.83.

COLUMBUS, OHIO, October 13, 1927.

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

Re: Bonds of the City of Kent, Portage County, Ohio, \$32,566.83.

GENTLEMEN:—The transcript pertaining to the above bond issue reveals that the bonds are to be issued to cover the cost both to the city and to the property owners, of the construction of a "White Way" lighting system on certain streets in the City

of Kent. The proposed improvement is divided into two parts known as Sections "A" and "B" respectively. The transcript contains two affidavits of publication of the notice of the filing of special assessments pertaining to Section A. One of said affidavits of publication recites that publication was had in The Kent Courier for two consecutive weeks, commencing on the 4th day of January, 1927, and the other of said affidavits recites that publication was had for two consecutive weeks, commencing on the 6th day of January, 1927. There is no affidavit in the transcript of the publication of the notice of filing assessments pertaining to Section B.

Section 3895, General Code, provides:

"Before adopting an assessment made as provided in this chapter, the council shall publish notice for three weeks consecutively, in a newspaper of general circulation in the corporation, that such assessment has been made, and that it is on file in the office of the clerk for the inspection and examination of all persons interested therein."

The above section is mandatory, and it is my opinion that the publication of the notice of filing of the assessments above referred to is not a sufficient compliance therewith.

The transcript is also deficient in several other respects and I am therefore compelled to advise you not to purchase the above issue of bonds.

Respectfully,
EDWARD C. TURNER,
Attorney General.

1144.

DISAPPROVAL, BONDS OF THE CITY OF IRONTON, LAWRENCE COUNTY,
OHIO—\$16,000.00.

COLUMBUS, OHIO, October 13, 1927.

Re: Bonds of the City of Ironton, *Lawrence County*, \$16,000.00.

The Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN:—I have examined the transcript of the proceedings of council and other officers of the City of Ironton, Lawrence County, pertaining to the above bond issue. Said transcript and other information later obtained reveal that for reasons which appeared to them to be good and sufficient, the council of the City of Ironton saw fit to reject two bids for the bonds, which were higher than the one accepted.

Section 3924, General Code, provides that 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, by any municipal corporation, shall be to the highest and best bidder.

In view of the provisions of Section 3924, General Code, above referred to, and the failure of council to award the bonds to the highest and best bidder, I am compelled to advise you not to purchase the above issue of bonds.

Respectfully,
EDWARD C. TURNER,
Attorney General.