

**Notice of Election for School Bonds.**

The law requires that notice of election authorizing the issuance of school bonds shall be posted fifteen days before the election. A notice of such election posted on July 17 noticing such election for the first day of August following is a sufficient compliance with the law as the time of posting. Reversing former ruling of office in letter to State Board of Land Commissioners, bearing date January 10, 1905.

Helena, Montana, Oct. 10, 1905.

State Board of Land Commissioners, Helena, Montana.

Gentlemen:—I herewith return to you transcript and papers in the matter of the proposed bond issue of School District No. 50, Gallatin County, Montana. I find that said proceedings are in substantial compliance with the laws of this State relating to the issuance of school district bonds, and hereby give my approval of the same.

I notice that the county attorney in his opinion questions the sufficiency of the notice of the election, which was posted on July 17 and the election held on August first following. It is true that the Attorney General's office in the past has held that such a notice was not sufficient and that it had to be posted for fifteen days exclusive of the day of posting and of the day of election. This ruling has been reversed and we now hold that where the notice is posted for fifteen days exclusive of the day of posting that it is sufficient. The supreme court of Minnesota is *Coe v. Buell*, 6 N. W. 621, in construing a statute the same as ours, held that such a notice was sufficient; also *State ex rel. v. Tucker*, 32 Mo. App. 628, to the same effect. The reasoning in these cases is conclusive on the question of the legality of such a notice.

Respectfully submitted,

ALBERT J. GALEN,

Attorney General.