BANKS:

NEWSPAPERS:

PUBLICATIONS:

LEGAL PUBLICATIONS:

Bank statement of condition made to Commission of Finance may be published by newspaper having circulation in town in which bank is located even though [redacted] newspaper published in different counties.

Eagleton

FOR OPINION
491
12-30-63

Lieberes

December 30, 1963

Mr. Wayne Freeman
Meramec Valley Transcript
Pacific, Missouri

Dear Wayne:

Les Simpson called the office one day while I was away in St. Louis and made the following inquiry on your behalf.

It seems that a bank in Eureka, Missouri is about to publish a bank report in compliance with Sec. 362.295, RSMo 1959. Eureka is a town located in the Western portion of St. Louis County and it does not have a newspaper published in said town. Your question was whether the Eureka bank could publish said bank report in your paper in Pacific (Franklin County) or must same be published in some newspaper in St. Louis County?

Sec. 362.295 reads in part as follows:

> "Every such report, exclusive of the verification, shall, within thirty days after it shall have been filed with the commissioner, be published by the bank in one newspaper of the place where its place of business is located, or if no newspaper is published there in a newspaper of general circulation in the town and community in which the bank is located;"

Since there is no newspaper in Eureka, the only requirement is that the report be published "in a newspaper of general circulation in the town and community in which the bank is located."

(There is no original request)

Pacific and Eureka are but seven miles apart. Hence, I am assuming that the Mercenes Valley Transcript has a fairly wide distribution in Eureka. If this be the case, I think it would be perfectly proper for the Eureka bank to publish the report in said newspaper.

Yours very truly,

THOMAS F. HAMLETON
Attorney General