

addition you have submitted a contract bond upon which the Seaboard Surety Company of New York, appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also, it appears that the laws relating to the status of surety companies and the Workmen's Compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*

2367.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND ALBERT B. ISABEL AND COMPANY, COLUMBUS, OHIO, FOR GENERAL WORK FOR COLD STORAGE, STOREROOM, KITCHEN AND BAKERY BUILDING AT HAWTHORNDEN FARM, CLEVELAND STATE HOSPITAL, CLEVELAND, OHIO, AT AN EXPENDITURE OF \$57,000.00—SURETY BOND EXECUTED BY THE GUARDIAN CASUALTY COMPANY, BUFFALO, NEW YORK.

COLUMBUS, OHIO, September 23, 1930.

HON. A. T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the Department of Public Welfare and Albert B. Isabel and Company, of Columbus, Ohio. This contract covers the construction and completion of contract for general work for a building known as Cold Storage, Storeroom, Kitchen and Bakery Building, including Tunnel (but excepting Elevators), at Hawthornden Farm, Cleveland State Hospital, Cleveland, Ohio, as set forth in Item No. 24; Item No. 33 Alternate G-7; Item No. 40 Alternate G-11 of the Form of Proposal dated July 30, 1930. Said contract calls for an expenditure of fifty-seven thousand dollars (\$57,000.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also furnished evidence to the effect that the consent of the Controlling Board to the release of funds has been obtained in accordance with Section 4 of House Bill 203 of the 88th General Assembly. In addition, you have submitted a contract bond upon which the Guardian Casualty Company of Buffalo, New York, appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also, it appears that the laws relating to the status of surety companies and the Workmen's Compensation Act have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my

approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*

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2368.

DEDICATION OF LAND—BOARD OF EDUCATION MAY DEDICATE FOR  
STREET PURPOSES—COUNCIL OF A MUNICIPAL CORPORATION  
MAY ACCEPT AND CONTROL SUCH LAND AS A PUBLIC STREET.

*SYLLABUS:*

*When lands owned by a board of education within a municipal corporation are dedicated by said board for street purposes, in order to have established a street for the purpose of making other lands owned by the board accessible, such lands so dedicated as a public street may be accepted as such, by the council of such municipal corporation and the said lands so dedicated shall thereafter be under the control and supervision of the council of such municipal corporation, as a public street.*

COLUMBUS, OHIO, September 24, 1930.

HON. I. B. STEELE, *Prosecuting Attorney, Lima, Ohio.*

DEAR SIR:—This will acknowledge receipt of your inquiry which reads as follows :

“The Cairo village board of education of Cairo, Ohio, some time ago was deeded a strip of land for road purposes.

Inasmuch as said board of education desires that said strip of land be dedicated for public use within the village of Cairo, Ohio, would it be proper for the county commissioners of this county to accept same under Section 6886, G. C., or should the village council of Cairo, Ohio, accept said dedication under Section 3723, General Code?”

You do not state in your letter how it came about that the Cairo village board of education was deeded a strip of land for road purposes. A board of education has no authority, as such to establish roads, nor does it have any authority to acquire land merely for the purpose of dedicating those lands for street purposes unless it becomes necessary to establish a road or street in order to make lands owned by a board of education which it desires to utilize for school purposes, accessible. I assume, therefore, that the Cairo board of education acquired the strip of land about which you speak for the purpose of an outlet for property already owned by it to an established public highway. Authority for dedicating such lands for street purposes after acquiring them, is found in Section 7624-2, General Code, which reads as follows :

“Where the board of education of any school district in this state shall own or hold lands for school purposes and said lands are not accessible by reason of the want of any street or public highway leading thereto and it becomes necessary that streets and highways shall be dedicated and opened for the purpose of making such lands accessible and available for the public use, and in so doing it becomes necessary to use and occupy part of