

ham Company, of Des Plaines, Illinois, for equipment in conjunction with the General Contract, together with Item 2 of Alternate No. 2, for Greenhouses and miscellaneous equipment on the campus of Ohio State University, which contract calls for a total expenditure of \$22,830.00.

You have also submitted the following documents in this connection: Properly certified copy of the resolution of the Board of Trustees of Ohio State University and cabinet minutes pertaining to this contract, encumbrance record Nos. 30 and 31 showing encumbrance of \$20,005.00 on Encumbrance Record No. 30 and \$2,825.00 on Encumbrance Record No. 31. Notice to Bidders, certificate of the auditor of state that certain documents are on file in that office, the division of contract, certificate of premium payment to the Industrial Commission of Ohio showing contractor entitled to the benefits under the Workmen's Compensation law, Controlling Board release, tabulation of bids, form of proposal containing contract bond of the United States Guarantee Company, of New York, properly countersigned in this state, resolution of the Board of Directors showing authority of Merl D. Weiger to execute this contract, and certificate of the Secretary of State that the contractor is qualified to do business in the State of Ohio.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon, and am returning the same to you, together with the various documents submitted in this connection.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

2885.

SECRETARY OF STATE—ARTICLES OF INCORPORATION—
THE OHIO HOSPITAL MUTUAL INSURANCE COMPANY
—DISAPPROVAL—SEE OPINIONS 2819, AUGUST 15, 1938
—3012, SEPTEMBER 24, 1938.

COLUMBUS, OHIO, August 27, 1938.

HON. WILLIAM J. KENNEDY, *Secretary of State, Columbus, Ohio.*

DEAR SIR: This will acknowledge receipt of your letter of recent date enclosing for my examination articles of incorporation of The Ohio Hospital Mutual Insurance Company.

It appears that the above company desires to incorporate under the

provisions of Section 9445, General Code. This section authorizes the incorporation of certain companies by five or more citizens of this state. The articles of incorporation state that a majority of the incorporators are citizens of the United States. Consequently, the articles of incorporation as submitted do not comply with the provisions of Section 9445, General Code.

Inasmuch as the provisions of the section in question do not provide for the appointment of trustees or directors until the first annual meeting, it is suggested that the provisions of the General Corporation Act (Section 8623-98, General Code) be complied with and the names and addresses of the trustees who are to serve until the first annual meeting or other meeting called for the purpose of electing trustees, be stated in the articles of incorporation.

I am therefore returning the articles of incorporation of The Ohio Hospital Mutual Insurance Company without my approval.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

2886.

APPROVAL—CONTRACT BETWEEN DEPARTMENT OF PUBLIC WORKS FOR BOARD OF TRUSTEES, OHIO UNIVERSITY, ATHENS, OHIO, AND THOS. MOULDING FLOOR COMPANY, CHICAGO, ILLINOIS, FOR PROJECT, ASPHALT TILE FLOORING, HOUSES "B" AND "C" MEN'S DORMITORY, \$834.00.

COLUMBUS, OHIO, August 27, 1938.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: You have submitted for my approval a contract by and between the State of Ohio, acting by the Department of Public Works, for the Board of Trustees of Ohio University, and Thos. Moulding Floor Company, Chicago, Illinois, for asphalt tile flooring for a project known as Asphalt Tile Flooring, Houses "B" and "C," Men's Dormitory, Ohio University, Athens, Ohio, as set forth in Item 1, Asphalt Tile Flooring Contract and Item 3, Alternate Number 2 for the Installation of Asphalt Tile Flooring, which contract calls for a total expenditure of \$834.00.

Attached to each copy of the contract is a certificate of the Athens