

1717.

APPROVAL, DEFICIENCY BONDS OF CITY OF CIRCLEVILLE, OHIO,
IN AMOUNT OF \$6,000.

COLUMBUS, OHIO, December 17, 1920.

Industrial Commission of Ohio, Columbus, Ohio.

1718.

APPROVAL, BONDS OF TRUMBULL COUNTY, OHIO, IN AMOUNT OF
\$78,000 FOR ROAD IMPROVEMENTS.

COLUMBUS, OHIO, December 17, 1920.

Industrial Commission of Ohio, Columbus, Ohio.

1719.

APPROVAL, BONDS OF NOBLE TOWNSHIP RURAL SCHOOL DISTRICT
IN AMOUNT OF \$40,000.

COLUMBUS, OHIO, December 17, 1920.

Industrial Commission of Ohio, Columbus, Ohio.

1720.

APPROVAL, AMENDED CONTRACT BETWEEN OHIO BOARD OF AD-
MINISTRATION AND BALTIMORE AND OHIO RAILROAD COM-
PANY, CHANGES IN TRACKS, OHIO STATE BRICK PLANT, GOBLES,
OHIO—SEE OPINION 1507, AUGUST 20, 1920.

COLUMBUS, OHIO, December 18, 1920.

The Ohio Board of Administration, Columbus, Ohio.

GENTLEMEN:—Acknowledgment is made of the receipt of your letter dated December 14th, transmitting for my approval the proposed agreement between your board and the Baltimore and Ohio Railroad Company relative to changes in side tracks at the Ohio State Brick Plant, Gobles, Ohio, as amended by mutual agreement between your board and the railroad company.

In Opinion No. 1507, rendered August 20, 1920, this agreement before its later amendment was approved, and a repetition of the matters considered in that opin-

ion is unnecessary. The original contract, as approved, does not seem to be with the files now submitted, but the main change seems to be in the matter of indemnity against claims arising from the construction or use of the side tracks and other such claims occasioned by insufficient clearance of buildings, fences or other structures.

In view of the laws in such cases, relating to the extent of financial responsibility of the state in such matters, it is not believed that the changes made in this contract will change the conclusion announced upon its original submission, and it is therefore approved.

Respectfully,

JOHN G. PRICE,
Attorney-General.

1721.

DISAPPROVAL, REFUNDING BONDS OF HARRISON TOWNSHIP
RURAL SCHOOL DISTRICT IN AMOUNT OF \$2,600.

COLUMBUS, OHIO, December 18, 1920.

Industrial Commission of Ohio, Columbus, Ohio.

RE Refunding bonds of Harrison Township Rural School District in the amount of \$2,600.00, 4 bonds of \$500 each and 1 bond of \$600—6%.

GENTLEMEN:—I have examined the transcript of the proceedings of the board of education of Harrison Township Rural School District, Paulding county, relative to the bonds above described and decline to approve the validity thereof for the following reasons:

The transcript reveals that the indebtedness which the school district seeks to refund by the issuance of the bonds under consideration was incurred in installing a heating system, necessary seats and other equipment in the centralized school building.

Sections 5650 and 5661 G. C., under authority of which the board of education seeks to issue said bonds, provide as follows:

“Sec. 5660. The commissioners of the county, the trustees of a township and the board of education of a school district, shall not enter into any contract, agreement or obligation involving the expenditure of money, or pass any resolution or order for the appropriation or expenditure of money, unless the auditor or clerk thereof, respectively, first certifies that the money required for the payment of such obligation or appropriation is in the treasury to the credit of the fund from which it is to be drawn, or has been levied and placed on the duplicate, and in process of collection and not appropriated for any other purpose; money to be derived from lawfully authorized bonds sold and in process of delivery shall, for the purpose of this section, be deemed in the treasury and in the appropriate fund. Such certificate shall be filed and forthwith recorded, and the sums so certified shall not thereafter be considered unappropriated until the county, township or board of education, is fully discharged from the contract, agreement or obligation, or as long as the order or resolution is in force.”