

relating to the control of trust funds of a municipal university or college, clearly indicate a legislative intention to confer upon the board of directors of such municipal university or college power and authority to assume control of all of the funds of such institution, and to disburse the same.

I am therefore of the opinion, in answer to your question, that the board of directors of a municipal university may, by the adoption of a resolution for this purpose, require funds from the issue and sale of bonds for university building construction, improvement or equipment purposes, to be paid over to such board.

Respectfully,
EDWARD C. TURNER,
Attorney General.

1607.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE AUSTIN COMPANY, CLEVELAND, OHIO, FOR THE CONSTRUCTION OF AN OHIO STATE HANGAR NEAR CLEVELAND, OHIO AT AN EXPENDITURE OF \$55,830.00—SURETY BOND EXECUTED BY THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

COLUMBUS, OHIO, January 20, 1928.

HON. FRANK D. HENDERSON, *Adjutant General, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Adjutant General of Ohio, and Director of State Armories, and The Austin Company, of Cleveland, Ohio. This contract covers the construction and completion of an Ohio State Hangar to be erected near the city of Cleveland, Ohio, and calls for an expenditure of fifty-five thousand, eight hundred and thirty dollars (\$55,830.00).

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 submitted a certificate from the Controlling Board, signed by the Secretary thereof, that in accordance with Section 12 of House Bill No. 502, 87th General Assembly, said board has properly consented to and approved the expenditure of the monies appropriated by the 87th General Assembly for the purpose covered by this contract. In addition, you have submitted a contract bond upon which the Fidelity and Deposit Company of Maryland 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,
EDWARD C. TURNER,
Attorney General.