

a consideration of the amount of the appropriation as pointed out in your letter as indicative of the legislative intent.

Specifically answering your first and second questions, it is my opinion that the appropriation contained in Section 3 of Amended House Bill 829 of the 92nd General Assembly is a supplementary appropriation to augment the amount appropriated in and by the General Appropriation Act, Amended Senate Bill 369, under the heading "Ohio State Penitentiary Personal Service—A 1. Salaries" and the amount therein appropriated may be used for the purpose of such appropriation item.

In view of my opinion as to your first and second questions, it is unnecessary to consider your third question.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

3037:

APPROVAL—BONDS CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO, \$50,000.00, PART OF TWO ISSUES DATED SEPTEMBER 1, 1938.

COLUMBUS, OHIO, September 29, 1938.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.
GENTLEMEN:

RE: Bonds of City of Cleveland, Cuyahoga County,
Ohio, \$50,000.00.

The above purchase of bonds appears to be part of two issues of bonds of the above city dated September 1, 1938. The transcripts relative to these issues were approved by this office in an opinion rendered to the Industrial Commission under date of September 17, 1938, being Opinion No. 2986.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,

HERBERT S. DUFFY,
Attorney General.