

2695.

APPROVAL, BONDS OF JUNCTION CITY, PERRY COUNTY, \$2,000.00.

COLUMBUS, OHIO, Aug. 6. 1925.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*

2696.

APPROVAL, BONDS OF JUNCTION CITY, PERRY COUNTY, \$5,000.00.

COLUMBUS, OHIO, Aug. 6. 1925.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*

2697.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE FIRST NATIONAL BANK, COLUMBUS, OHIO, CREATING A FUND FOR SETTLEMENT OF INJURIES OF CLINTON DOUGHTY, COLUMBUS, OHIO. (UNDER PROVISIONS OF HOUSE BILL 524, PASSED MARCH 27, 1925).

COLUMBUS, OHIO. Aug. 7, 1925.

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

DEAR SIR:—Your recent communication is as follows:

“Pursuant to the provisions of house bill No. 524, passed March 27, 1925, and filed with the secretary of state April 16, 1925, I have entered into a tentative contract with the First National Bank, Columbus, Ohio, for the creating of a trust fund to carry out the provisions of this act in so far as it affects Clinton Doughty of Columbus, Ohio, copy of the portion affecting Mr. Doughty from page 5 of this act following:

“Clinton Doughty, Columbus, Ohio, in full settlement for injuries received July 15, 1925, while in line of duty as a member of Battery “A.” 134th Field Artillery, Columbus, Ohio, ----- \$2,500.00.

“The adjutant general of Ohio is authorized to enter into a contract with a trust company located in the city of Columbus, Ohio, creating a fund in the amount hereby appropriated to be paid to the parents of said Clinton Doughty, for his use and benefit, \$1,000.00 of said amount to be applied on

the purchase price of a residence property for the parents of said Clinton Doughty, the balance to be paid at the rate of \$50.00 per month until he becomes of age, at which time any balance in said fund is to be paid to him in full. In case of death of the said Clinton Doughty previous to his becoming of age, the unpaid balance in said fund to be paid in full to his parents.'

"Copy of above mentioned contract is hereto attached.

"It is respectfully requested that your approval be given this contract or such directions as will enable a contract to be drawn which will meet with your approval, in order that the intent of the general assembly as expressed in house bill No. 524 may be carried out."

An examination has been made of the form of contract which you have submitted. According to the terms of the contract, no bond is required for the reason that the said bank has deposited with the state of Ohio securities for the faithful performance of trust duties. The agreement provides that \$1,000 shall be applied on the purchase price of the residence property for the parents of said Clinton Doughty on the order of said parents, or, in the event they shall elect to build a residence, said sum may be applied upon the purchase price of a lot, upon sufficient evidence being furnished the trustee that the parents have sufficient funds to complete and fully pay for the purchase of said lot and erection of a residence.

The remaining stipulations of the contract seem to be in accordance with the express provisions of the appropriation act to which reference is made. However, it may be pointed out that under the terms of the agreement said trustee agrees to credit two per cent interest monthly on the average daily balance of said fund. The agreement further provides that said trustee shall receive for its compensation the sum of \$25.00 for each year or fraction thereof during which it acts as such trustee. Under the agreement it is further provided that the trustee is authorized to expend not to exceed the sum of \$25.00 for the preparation of the agreement submitted.

After consideration, it is the opinion of this department that the agreement submitted is in proper legal form and the powers undertaken to be exercised therein by the adjutant general are in accordance with the provisions of said appropriation act. It is suggested, however, that before said contract is executed a certificate from the director of finance, to the effect that the fund is available for the purpose, should first be obtained by you.

In view of the foregoing, I hereby approve said contract as to form, and return the same herewith.

Respectfully,

C. C. CRABBE,

*Attorney General.*

2698.

APPROVAL, FINAL RESOLUTIONS ON IMPROVEMENTS IN FOLLOWING COUNTIES: TUSCARAWAS, CHAMPAIGN, BUTLER, DEFIANCE, OTTAWA, WYANDOT, BELMONT, WILLIAMS, GUERNSEY AND MAHONING.

COLUMBUS, OHIO, Aug. 7, 1925.

*Department of Highways and Public Works, Division of Highways, Columbus, Ohio.*

GENTLEMEN:—I am in receipt of your letter of August 7, 1925, enclosing for my approval, among others, certified copies of final resolutions on the following improvements: