

Ohio, acting by the Superintendent of Public Works, for and on behalf of the Board of Trustees, C. N. & I. Department, Wilberforce University, and McCurran Bros., Xenia, Ohio. This contract covers the construction and completion of general contract for power house—power house and stack, C. N. & I. Department, Wilberforce University, Wilberforce, Ohio, and calls for an expenditure of forty-nine thousand and fifteen dollars (\$49,015.00).

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. There has also been 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 Act have been complied with.

In this connection, it will be noted that the award was made prior to January 1, 1929, and that the original appropriation lapsed before such contract was approved by the Attorney General. However, it will be further noted that the 88th General Assembly, in Amended House Bill No. 203, reappropriated such funds and authorized the expenditure of money for such purposes with the consent and approval of the Controlling Board, which has been obtained.

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,  
GILBERT BETTMAN,  
*Attorney General.*

455.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE ELECTRIC POWER EQUIPMENT COMPANY, COLUMBUS, OHIO, FOR ELECTRICAL WORK FOR POWER HOUSE AND STACK, WILBERFORCE UNIVERSITY, WILBERFORCE, OHIO, AT AN EXPENDITURE OF \$614.00—SURETY BOND EXECUTED BY THE GLOBE INDEMNITY COMPANY.

COLUMBUS, OHIO, May 28, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Superintendent of Public Works, for and on behalf of the Board of Trustees, C. N. & I. Department, Wilberforce University, and the Electric Power Equipment Company, Columbus, Ohio. This contract covers the construction and completion of electrical contract for power house and stack, C. N. & I. Department, Wilberforce University, Wilberforce, Ohio, and calls for an expenditure of six hundred and fourteen dollars (\$614.00).

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. There has also been submitted a contract bond upon which

the Globe Indemnity Company 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 Act have been complied with.

In this connection, it will be noted that the award was made prior to January 1, 1929, and that the original appropriation lapsed before such contract was approved by the Attorney General. However, it will be further noted that the 88th General Assembly, in Amended House Bill No. 203, reappropriated such funds and authorized the expenditure of money for such purposes with the consent and approval of the Controlling Board, which has been obtained.

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,  
GILBERT BETTMAN,  
*Attorney General.*

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456.

SCHOOL BUILDING—DESTROYED BY FIRE—MAXIMUM AMOUNT OF BONDS ISSUABLE FOR REBUILDING WITHOUT VOTE OF ELECTORS—CONDITIONS NOTED.

SYLLABUS:

1. *When a schoolhouse has been destroyed by fire or other casualty, bonds may be issued for the purpose of building a new schoolhouse to take the place of the building so destroyed, without a vote of the people, to the extent of three per cent of the total value of all property in such school district as listed and assessed for taxation, under the provisions of paragraph (c) of Section 2293-15, General Code, providing there then exists no indebtedness previously so excepted.*

2. *The maximum amount of bonds which may be issued for the above purpose without a vote of the electors, at any time, under the provisions of Section 2293-15, General Code, would be three and one-tenth per cent of the total value of all property in such school district as listed and assessed for taxation, provided that, at such time, there is in existence no unvoted net indebtedness under the first paragraph of this section and further provided that, at such time, there is in existence no indebtedness previously excepted under paragraph (c) thereof.*

COLUMBUS, OHIO, May 28, 1929.

HON. WINSTON W. HILL, *Prosecuting Attorney, Delaware, Ohio.*

DEAR SIR:—Your letter of recent date is as follows:

“The Delaware City Board of Education, has made request that I write for an opinion from the Attorney General, the question being as follows:

Under Section 2293-15(c), may a board of education issue bonds for the