

business under the firm name of J. A. Huston & Company, of Lancaster, Ohio. This contract covers the construction and completion of a state armory building, Washington C. H., Ohio, and calls for an expenditure of \$43,610.00.

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 further 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 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,
C. C. CRABBE,
Attorney General.

3367.

APPROVAL, BONDS OF CITY OF NILES, TRUMBULL COUNTY, \$719.25.

COLUMBUS, OHIO, May 20, 1926.

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

3368.

DISAPPROVAL, BONDS OF INDEPENDENCE VILLAGE SCHOOL DISTRICT, CUYAHOGA COUNTY, \$2,000.00.

COLUMBUS, OHIO, May 20, 1926.

Re: Bonds of Independence Village School District, Cuyahoga county,
\$2,000.00.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN:—An examination of the certified copy of the transcript in connection with the foregoing issue of bonds discloses that these bonds have been issued under the provisions of section 7630-1 of the General Code, and that the issue is based upon an order prohibiting the use of the former school building, signed by E. U. Whitaker, chief of the division. The transcript does not show that the order was ever approved by the Department of Industrial Relations, or signed and sealed by the director of said department.

In the case of Industrial Commission of Ohio et al. vs. Snyder, the decision of the Supreme Court rendered October 22, 1925, held in part as follows:

"The provisions of such code require the administration of the affairs of that department by the Director of Industrial Relations and provide for the keeping within the department such records and journals as are necessary to exhibit its official acts and proceedings. A letter addressed to the board of education, signed only by the Chief of the Division of Factory Inspection, giving notice that the use of the school building is prohibited, unless designated changes are made by a specified time, there being no record of any official action by the department with reference to such matter, or showing any authority conferred upon the chief of the division of factory inspection relative thereto, is not an order of the department whereon may be predicated action by the board of education to issue and sell bonds of the district for the erection of a school building pursuant to the provisions of section 7630-1, General Code, as it existed April 9, 1923."

You are, therefore, advised not to purchase said bonds.

Respectfully,
C. C. CRABBE,
Attorney General.

3369.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE COLUMBUS SUPPLY COMPANY, COLUMBUS, OHIO, COVERING CONSTRUCTION AND COMPLETION OF CONTRACT FOR PLUMBING EQUIPMENT FOR LAUNDRY MACHINERY, FOR OHIO SOLDIERS' AND SAILORS' ORPHANS' HOME, XENIA, OHIO, AT AN EXPENDITURE OF \$1,479.89—SURETY BOND EXECUTED BY THE COMMERCIAL CASUALTY INSURANCE COMPANY.

COLUMBUS, OHIO, May 20, 1926.

HON. G. F. SCHLESINGER, *Director of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Highways and Public Works, for and on behalf of the Board of Trustees of the Ohio Soldiers' and Sailors' Orphans' Home, and The Columbus Supply Company, of Columbus, Ohio. This contract covers the construction and completion of contract for plumbing equipment for laundry machinery, for Ohio Soldiers' and Sailors' Orphans' Home, at Xenia, Ohio, and calls for an expenditure of \$1,479.89.

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 further been submitted a contract bond upon which the Commercial Casualty Insurance 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 waived by the board of control, but bids were taken, tabulated as required by law and the contract duly awarded. Also it ap-