

759.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE THATCHER HEATING COMPANY, AKRON, OHIO, TO CONSTRUCT STEAM PIPING, WATER PIPING AND GAS PIPING IN TUNNEL SYSTEM, KENT STATE NORMAL SCHOOL, KENT, OHIO, AT AN EXPENDITURE OF \$6,000.00—SURETY BOND EXECUTED BY THE COMMERCIAL CASUALTY INSURANCE COMPANY.

COLUMBUS, OHIO, July 21, 1927.

HON. GEORGE F. SCHLESINGER, *Director, Department 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 Kent State Normal School, and The Thatcher Heating Company, of Akron, Ohio. This contract covers the construction and completion of Contract for Steam Piping, Water Piping and Gas Piping; Repairing and Extension of Tunnel System and necessary equipment therein, Kent State Normal School, Kent, Ohio, and calls for an expenditure of six thousand dollars (\$6,000.00).

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 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 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.

760.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE THATCHER HEATING COMPANY, AKRON, OHIO, FOR REVAMPING STEAM MAINS, KENT STATE NORMAL SCHOOL, KENT, OHIO, AT AN EXPENDITURE OF \$21,400.00—SURETY BOND EXECUTED BY THE COMMERCIAL CASUALTY INSURANCE COMPANY.

COLUMBUS, OHIO, July 21, 1927.

HON. GEORGE F. SCHLESINGER, *Director, Department 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 Kent State Normal School, and the Thatcher Heating Com-

pany, of Akron, Ohio. This contract covers the construction and completion of General Contract for Revamping Steam Mains, Kent State Normal School, Kent, Ohio, and calls for an expenditure of twenty-one thousand four hundred dollars (\$21,400.00).

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 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 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

761.

BOND—PUBLIC OFFICERS MAY FILE NEW BONDS DURING TERM OF OFFICE—HOUSE BILLS NUMBERS 40 AND 333, 87TH GENERAL ASSEMBLY, DISCUSSED.

SYLLABUS:

1. *A public officer who is required to give an official bond at or before the time he takes office may, during his term of office, file a new bond for the remaining portion of his term of office, which new bond must, of course, be approved by the officer or officers required by law to approve the same.*

2. *The amendments to the sections of the General Code contained in House Bill No. 40, passed by the 87th General Assembly, and the provisions of House Bill No. 333, 87th General Assembly, do not affect the salary of any officer.*

3. *The premium on any bond of any public officer, deputy or employe signed by a licensed surety company, executed after House Bills Nos. 40 and 333 passed by the 87th General Assembly became effective shall be paid by the state, county, township, municipality school district or other subdivision of which such person so giving such bond is an officer, deputy or employe.*

COLUMBUS, OHIO, July 21, 1927.

HON. JOHN W. LOREE, *Prosecuting Attorney, Celina, Ohio.*

DEAR SIR:—Permit me to acknowledge receipt of your request for my opinion, as follows:

“House Bill No. 40, Bonds of County Officers effective July 10, 1927.
House Bill No. 333, effective July 20th, Bonds of Public Officers.

This is to ask your opinion as to whether or not under the above bills surety company bonds, for the unexpired term, may be substituted for personal bonds now on file and approved, and the premium paid by the political subdivision to which the bond is to be given.”