

3691.

APPROVAL, BONDS OF CUYAHOGA COUNTY, OHIO—\$200,000.00.

COLUMBUS, OHIO, October 24, 1931.

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

3692.

APPROVAL, BONDS OF BEDFORD CITY SCHOOL DISTRICT, CUYAHOGA COUNTY, OHIO—\$19,250.00.

COLUMBUS, OHIO, October 24, 1931.

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

3693.

APPROVAL, BONDS OF CITY OF AKRON, SUMMIT COUNTY, OHIO—\$32,000.00.

COLUMBUS, OHIO, October 24, 1931.

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

3694.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE JOSEPH L. SKELDON ENGINEERING COMPANY OF TOLEDO, OHIO, FOR BOILER, STOKERS AND EQUIPMENT, FOR LONDON PRISON FARM, LONDON, OHIO, AT AN EXPENDITURE OF \$23,000.00. SURETY BOND EXECUTED BY THE UNITED STATES FIDELITY AND GUARANTY COMPANY OF BALTIMORE, MARYLAND.

COLUMBUS, OHIO, October 24, 1931.

HON. JOHN MCSWEENEY, *Director of Public Welfare, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Welfare (London Prison Farm, London, Ohio) and the Joseph L. Skeldon Engineering Company of Toledo, Ohio. This contract covers the construction and completion of one new boiler, two stokers and equipment, for London Prison Farm, London, Ohio, in accordance with the form of proposal dated October 5, 1931. Said contract calls for an expenditure of twenty-three thousand dollars (\$23,000.00).

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 furnished evidence to show that the Emergency Board has released funds for this project. In addition, you have submitted a contract bond upon which the United States Fidelity and Guaranty Company of Baltimore, 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 have been complied with. The certificate of the Industrial Commission as to compliance with the laws pertaining to the Workmen's Compensation expired on October 1, 1931, and I am informed that a new certificate cannot be furnished at the present time, for the reason that the Skeldon Company has just been billed by the Industrial Commission and has not yet had time to pay in its premium. A new Industrial Certificate should be obtained before the contractor is permitted to proceed with the work.

Finding said contract and bond in proper legal form, with the exception noted in the preceding paragraph, I hereby approve same, conditioned upon the obtaining of a certificate from the Industrial Commission, I have noted my approval on the contract and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,
 GILBERT BETTMAN,
Attorney General.

3695.

POOR RELIEF—PRINGLE-ROBERTS BILL—BOARD OF EDUCATION
 MAY NOT ISSUE BONDS FOR SUCH RELIEF—POWER OF BOARD
 TO EXPEND FUNDS FOR PERSONAL NECESSITIES OF CERTAIN
 CHILDREN NOT POOR RELIEF.

SYLLABUS:

1. *Boards of education are not authorized by law to borrow money or issue bonds for poor relief purposes; nor are boards of education authorized, under any circumstances, to expend public funds for poor relief purposes, as such.*

2. *The power of a board of education to expend public funds for textbooks, personal necessities and medical care for certain classes of children, in order to enable them to attend school, as authorized by Section 7777, General Code, should not be regarded as the extension of poor relief, as such.*

COLUMBUS, OHIO, October 26, 1931.

HON. CAMERON MEACHAM, *Prosecuting Attorney, Portsmouth, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion, which reads as follows:

“Amended House Bill No. 102, known as the Pringle-Roberts bill, authorizes the taxing authority of a municipal corporation, township or county, to borrow money and issue bonds or notes to supply de-