

for such procedure in the Uniform Bond Act. The Legislature has been very clear in providing that when the question of issuing bonds is submitted to a vote, the electors shall not only vote upon the issuance of bonds but vote upon the purpose for which such bonds are to be issued, and pursuant to favorable vote only *such* bonds for such specific purposes may be issued.

In an opinion of my predecessor, directed to Hon. Ralph E. Hoskot, Prosecuting Attorney, Dayton, Ohio, being Opinion No. 3064, under date of December 27, 1928, the first branch of the syllabus is as follows:

“Where the electors of a school district have authorized a board of education to issue bonds for the purpose of erecting and constructing school buildings and furnishing the same, such board may not use a portion of the proceeds of such bond issue for the purpose of acquiring sites for such buildings.”

In view of the foregoing and in specific answer to your question, I am of the opinion that when bonds are issued by a municipal corporation pursuant to a vote of the electors for the express purpose of “purchasing and condemning land for park and public playground purposes and for improving same,” a part of the proceeds of the sale of such bonds may not be used to improve parks and playgrounds other than those acquired by purchase or condemnation proceedings from the proceeds of such bond sale.

Respectfully,
GILBERT BETTMAN,
Attorney General.

515.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND SKENE-McALPIN CONSTRUCTION COMPANY, POINT PLEASANT, W. VA., FOR CONSTRUCTION OF SCHOOL FOR BOYS, OHIO HOSPITAL FOR EPILEPTICS, GALLIPOLIS, OHIO, AT AN EXPENDITURE OF \$14,623.00—SURETY BOND EXECUTED BY THE AETNA CASUALTY AND SURETY COMPANY.

COLUMBUS, OHIO, June 13, 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 Department of Public Welfare, and Skene-McAlpin Construction Company, of Point Pleasant, W. Va. This contract covers the construction and completion of general contract for School for Boys, Ohio Hospital for Epileptics, Gallipolis, Ohio, and calls for an expenditure of fourteen thousand six hundred and twenty-three dollars (\$14,623.00).

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 Aetna Casualty and Surety 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.

516.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE H. J. OSTERFELD COMPANY, DAYTON, OHIO, FOR HEATING AND VENTILATING CONTRACT FOR SCHOOL FOR BOYS, OHIO HOSPITAL FOR EPILEPTICS, GALLIPOLIS, OHIO, AT AN EXPENDITURE OF \$3,479.00—SURETY BOND EXECUTED BY THE AETNA CASUALTY AND SURETY COMPANY.

COLUMBUS, OHIO, June 13, 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 Department of Public Welfare, and The H. J. Osterfeld Company, of Dayton, Ohio. This contract covers the construction and completion of heating and ventilating contract for School for Boys, Ohio Hospital for Epileptics, Gallipolis, Ohio, and calls for an expenditure of three thousand four hundred and seventy-nine dollars (\$3,479.00).

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 Aetna Casualty and Surety 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