

I have carefully examined said leases, find them correct in form and legal, and am therefore returning the same with my approval endorsed thereon.

Respectfully,

C. C. CRABBE,

*Attorney General.*

2979.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND DOMENIC DISCIPIO, WOOSTER, OHIO, COVERING CONSTRUCTION AND COMPLETION OF SEWER FOR OHIO AGRICULTURAL EXPERIMENT STATION AT WOOSTER, OHIO, AT EXPENSE OF \$1,647.58. CONTRACT BOND COVERED BY SAM SANDORE AND DOMINIC TONASETTI.

COLUMBUS, OHIO, December 2, 1925.

HON. G. 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, and Domenic Discipio, of Wooster, Ohio. This contract covers the construction and completion of sewer for the Ohio Agricultural Experiment Station at Wooster, Ohio, and calls for an expenditure of \$1,647.58.

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 Sam Sandore and Dominic Tonasetti appear as sureties, 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 law relating to the workmen's compensation has 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.*

2980.

DISAPPROVAL, BONDS OF FRAZEYSBURG SCHOOL DISTRICT, MUSKINGUM COUNTY, \$2,000.00.

COLUMBUS, OHIO, December 2, 1925.

Re: Bonds of Frazeyburg School District, Muskingum County, \$2,000.00.

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

GENTLEMEN:—In connection with the above issue of bonds there has been submitted to this office a copy of the resolution providing for the issuance of ten bonds

in the sum of \$200.00, each with annual maturities beginning on September 1, 1926. Also copy of school order No. 571, making requirements for the repair of the building to make the same safe, shows that said order is signed by C. A. Benedict, chief of division. There is also affidavit of the publisher showing proof of publication of the notice of the bond sale. The maturities of the bonds are not in compliance with the provisions of section 2295-12 G. C. as amended in 111 O. L., page 88, which is as follows:

"All bonds hereafter issued by any county, municipality, including charter municipalities, school district, township or other political subdivision shall be serial bonds maturing in substantially equal semi-annual or annual installments. If issued with semi-annual maturities the first installment shall mature not earlier than the first day of March next following the fifteenth day of July next following the passage of the ordinance or resolution authorizing such bonds; and if issued with annual maturities, the first installment shall mature not earlier than the first day of the second September next following said fifteenth day of July. In either case the first installment shall mature not later than eleven months after said earliest date thereof."

This error as to the maturity of the bonds might be corrected, but the resolution as submitted contains no provision whatever for the levying of a tax, or for the making of the bonds general obligations of the school district, and in that respect is so defective that I can see no way to amend same, except by the adoption of a new bond resolution.

The order of the Department of Industrial Relations of C. A. Benedict, chief of the division, does not bear the approval and seal of the Director of the Department of Industrial Relations, as required by law, and as required by the decision of the supreme court, and for this reason cannot be used as the basis of this issue.

However, the bond resolution recites that these bonds are to be issued under the provisions of section 7629 G. C. and not under the provisions of section 7630-1 G. C. The order is therefore not considered as the basis of the issue.

Compliance has not been shown with the provisions of section 5654-1 G. C. which requires that the bonds shall not be sold until the contract has been let for the improvement.

In view of the failure to meet statutory requirements in the foregoing respects, and especially in view of the fact that the bond resolution as submitted cannot be used as a basis for requiring a levy to meet maturing bonds and interest, I am therefore compelled to disapprove the issue, and advise you not to accept said bonds.

Respectfully,

C. C. CRABBE,  
*Attorney General.*

2981.

APPROVAL, BOND COVERING FAITHFUL PERFORMANCE OF DUTIES  
OF GEORGE CARR, AS DEPUTY HIGHWAYS COMMISSIONER.

COLUMBUS, OHIO, December 3, 1925.

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

DEAR SIR:—You have submitted to this department for my approval a bond submitted to cover the faithful performance of the duties of George Carr, as Deputy Highway Commissioner.