

2503.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE FANCKHAUSER-BEST CONSTRUCTION COMPANY, CLEVELAND, OHIO, FOR CONSTRUCTION AND COMPLETION OF TWO SUN PORCHES FOR CLEVELAND STATE HOSPITAL, AT COST OF \$22,640.00. SURETY BOND EXECUTED BY THE SOUTHERN SURETY COMPANY.

COLUMBUS, OHIO, May 19, 1925.

HON. L. A. BOULAY, *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 The Fanckhauser-Best Construction Company, of Cleveland, Ohio. This contract covers the construction and completion of two sun porches for Cleveland state hospital, Cleveland, Ohio, and calls for an expenditure of \$22,640.00.

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 Southern 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 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.

2504.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE WALKER CONTRACTING COMPANY, OF HAMILTON, OHIO, FOR CONSTRUCTION AND COMPLETION OF HEATING AND VENTILATING IN ADDITION TO MCGUFFEY TRAINING SCHOOL BUILDING, MIAMI UNIVERSITY, OXFORD, OHIO, AT COST OF \$17,970.00. SURETY BOND EXECUTED BY THE GLOBE INDEMNITY COMPANY.

COLUMBUS, OHIO, May 19, 1925.

HON. L. A. BOULAY, *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 The Walker Contracting Company, of Hamilton, Ohio. This contract covers the construction and completion of heating and ventilating in addition to McGuffey training school

building, Miami university, Oxford, Ohio, and calls for an expenditure of \$17,970.00.

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.

2505.

DISAPPROVAL, BONDS OF VILLAGE OF COLUMBIANA, COLUMBIANA COUNTY, \$3,725.76.

COLUMBUS, OHIO, May 18, 1925.

Re: Bonds of Village of Columbiana, Columbiana County, \$3,725.76.

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

GENTLEMEN :—I have examined the transcript for the foregoing issue of bonds and find that I cannot approve the same for the following reasons :

1. The bond resolution as passed by council provides for an issue of bonds in the sum of \$6,989.28, in annual payments of \$776.58 each, due on February 1st of each year, beginning with the year 1926. The bond ordinance further provides :

“In the event any of the owners of any of said property so specially assessed shall pay their total assessments in cash within thirty days of the date of the final passage of the ordinance levying such special assessments, the aggregate amount of bonds to be issued shall be reduced by deducting the amount so paid in cash from the total amount of the bonds to be issued, and the bonds herein provided for first maturing shall be correspondingly reduced by the omission of so many thereof as shall equal the amount of assessments so paid, or by changing the denomination of one of said bonds, or both, as the case may be, and the amount to be credited to the foregoing fund from the sale of said bonds shall be likewise reduced by the amount of the assessments so paid in cash for such improvement.”

This ordinance was passed on January 6, 1925, and following the passage thereof, without any further proceedings, as to the amount of the issue, bonds were advertised for sale on February 12, 1925, in the sum of \$4,191.48 in annual payments of \$465.72 each. This sale of bonds is not in compliance with the bond ordinance, and I find no authority or provision of council for the issue as advertised and sold.