

that the Legislature is without power to authorize the raising of any part of the workmen's compensation fund by any other process than by compulsory contributions by employers; that its power to require municipalities and other taxing districts to contribute to such fund is limited to the obligation of such municipalities and other taxing districts as employers; and that that portion of Section 1465-58, General Code, which requires municipalities and other taxing districts to first offer their bonds to the Industrial Commission at anything less than their market value, is unconstitutional and void."

It is perfectly apparent that the fact that Section 2293-28, *supra*, imposing no requirement on the State when bidding for bonds to post a bond or certified check, is not subject to the constitutional infirmities of former Section 1465-58, General Code, considered in the Frazine case, *supra*.

Specifically answering your inquiry, therefore, and in view of the foregoing, it is my opinion that when the Retirement Board of the State Teachers Retirement System bids upon bonds advertised pursuant to the provisions of Section 2293-28, such Board is not required to file with its bid a bond or certified check as provided in such section.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

1433.

APPROVAL—BONDS OF PIKE TOWNSHIP RURAL SCHOOL DISTRICT, FULTON COUNTY, OHIO, \$34,000.00.

COLUMBUS, OHIO, November 5, 1937.

*The Industrial Commission of Ohio, Columbus, Ohio.*

GENTLEMEN :

RE: Bonds of Pike Twp. Rural School Dist., Fulton County, Ohio, \$34,000.00.

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise all of an issue

of school building bonds dated October 1, 1937, bearing interest at the rate of  $3\frac{3}{4}\%$  per annum.

From this examination, in the light of the law under authority of which these bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute a valid and legal obligation of said school district.

Respectfully,

HERBERT S. DUFFY,

*Attorney General.*

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1434.

APPROVAL—BONDS OF SHERWOOD VILLAGE SCHOOL DISTRICT, DEFIANCE COUNTY, OHIO, \$55,000.00. (Unlimited.)

COLUMBUS, OHIO, November 5, 1937.

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

GENTLEMEN:

RE: Bonds of Sherwood Village School Dist., Defiance County, Ohio, \$55,000.00. (Unlimited.)

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise all of an issue of school building and equipment bonds dated October 1, 1937, bearing interest at the rate of  $3\frac{3}{4}\%$  per annum.

From this examination, in the light of the law under authority of which these bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute a valid and legal obligation of said school district.

Respectfully,

HERBERT S. DUFFY,

*Attorney General.*