

3365.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE ROBERT H. EVANS AND CO., COLUMBUS, OHIO, FOR THE CONSTRUCTION AND COMPLETION OF GENERAL CONTRACT FOR THE BUILDING AND TUNNEL AT CLEVELAND STATE HOSPITAL, AT AN EXPENDITURE OF \$77,344.00—SURETY BOND EXECUTED BY THE NATIONAL SURETY CORPORATION.

COLUMBUS, OHIO, October 30, 1934.

HON. T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works for the Department of Public Welfare, and Robert H. Evans and Company of Columbus, Ohio. This contract covers the construction and completion of General Contract for the building and tunnel (exclusive of elevator) for a project known as Cottage No. 6, Hawthornden Farm, Cleveland State Hospital, Cleveland, Ohio, in accordance with Item No. 1, Item No. 6 (Alt. G-1), Item No. 7 (Alt. G-2-a), Item No. 7 (Alt. G-2-b), Item No. 8 (Alt. G-3-c), Item No. 10 (Alt. G-5), Item No. 11 (Alt. G-6), and Item No. 12 (Alt. G-7), of the Form of Proposal dated October 11, 1934. Said contract calls for an expenditure of seventy-seven thousand three hundred and forty-four dollars (\$77,344.00).

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 submitted a certificate of the Controlling Board, showing that said board has released funds for this project, in accordance with section 3 of House Bill No. 698 of the 90th General Assembly, regular session (115 Ohio Laws, 398), as amended by section 1 of House Bill No. 36 of the first special session of the 90th General Assembly.

In addition, you have submitted a contract bond upon which the National Surety Corporation 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,

JOHN W. BRICKER,
Attorney General.

3366.

DISAPPROVAL, BONDS OF FRANKLIN TOWNSHIP RURAL SCHOOL DISTRICT, HARRISON COUNTY, OHIO, \$723.93.

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

Re: Bonds of Franklin Township Rural School District, Harrison County, Ohio, 723.93.

GENTLEMEN:—I have examined the transcript of the proceedings relating to the above bond issue. The transcript shows that this district issued bonds under the provisions of acts of the 90th General Assembly, which bonds are already in excess of the debt limitations which may be incurred, amounting to \$1,350.00. Section 4 of House Bill No. 11 of the third special session of the 90th General Assembly provides for the issuance of bonds in the amount of the net floating indebtedness of the school district, as of July 1, 1934, as shown by the certificate of the Auditor of State, less any bonds which may have been issued under any act of the 90th General Assembly, which bonds are outside of the debt limitations.

Since the amount of the bonds issued by this district in excess of the debt limitations authorized by acts of the 90th General Assembly is greater than the amount of its net floating indebtedness, as of July 1, 1934, it follows that it would be impossible for this district to issue any bonds under House Bill No. 11.

Respectfully,

JOHN W. BRICKER,
Attorney General.

3367.

DISAPPROVAL, BONDS OF NORTH CANTON VILLAGE SCHOOL DISTRICT, STARK COUNTY, OHIO, \$3,981.56.

COLUMBUS, OHIO, October 30, 1934.

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

Re: Bonds of North Canton Village School District, Stark County, Ohio, \$3,981.56.

GENTLEMEN:—I have examined the transcript of the proceedings relating to the above bond issue.

The transcript shows that this district has issued bonds under the provisions of Amended Substitute Senate Bill No. 175, and that \$13,000.00 thereof are in excess of the debt limitations. Section 4 of House Bill No. 11 of the third special session of the 90th General Assembly provides for the issuance of bonds in the amount of the net floating indebtedness of a school district as of July 1, 1934, as shown by the certificate of the Auditor of State less any bonds which may have been issued under the provisions of any act of the 90th General Assembly which are in excess of the debt limitations.

Since the amount already issued by this district in excess of the debt limitations is greater than the amount of its net floating indebtedness as of July 1, 1934, it follows that it will be impossible for this district to issue any bonds under said House Bill No. 11.

Very truly yours,

JOHN W. BRICKER,
Attorney General.