

2052.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND CHARLES W. TAYLOR OF ZANESVILLE, OHIO, FOR CONSTRUCTION AND COMPLETION OF GENERAL CONTRACT ON GREENHOUSE AND SERVICE BUILDING AT OHIO AGRICULTURAL EXPERIMENT STATION AT WOOSTER, OHIO, AT AN EXPENDITURE OF \$17,730.00—SURETY BOND EXECUTED BY UNITED STATES FIDELITY AND GUARANTY COMPANY OF BALTIMORE, MARYLAND.

COLUMBUS, OHIO, July 2, 1930.

HON. A. T. CONNAR, *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 Board of Control of the Ohio Agricultural Experiment Station, Wooster, Ohio, and Charles W. Taylor of Zanesville, Ohio.

This contract covers the onstruction and completion of general contract (exclusive of plumbing, heating, electrical work and greenhouse superstructure), on greenhouse and service building at Ohio Agricultural Experiment Station, Wooster, Ohio, as set forth in Item 1 and Item 4, Alternate G-3A, of proposal submitted January 27, 1930. Said contract calls for an expenditure of Seventeen Thousand Seven Hundred and Thirty dollars (\$17,730.00).

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 furnished evidence to the effect that the consent and approval of the Controlling Board to the expenditure has been obtained as required by Section 11 of House Bill No. 510 of the 88th General Assembly. In addition you have submitted a contract bond, upon which the United States Fidelity and Guaranty Company of Baltimore, Maryland, 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,

GILBERT BETTMAN,
Attorney General.

2053.

MUNICIPALITIES—NON-CHARTER AND CHARTER—FORMER MAY NOT CONTRIBUTE FUNDS TO AMERICAN LEGION POST FOR FOURTH OF JULY CELEBRATION—WHEN LATTER MAY CONTRIBUTE.

SYLLABUS:

There exists no authority for the expenditure of the funds of a non-charter municipality for the purpose of holding a Fourth of July celebration. The legality of such an expenditure by a charter municipality is dependent upon whether the charter