

tions in the Existing Science Building, as specified and shown on the drawings, but excluding the lettered items (a) to (f), inclusive of Page 1 of "Base Bids and Alternates" for the Base Bid, of the Form of Proposal for Heating and Ventilating dated December 30, 1938, all according to Plans and Specifications, which Plans, Specifications and Proposal were made a part of this contract. This contract calls for an expenditure of \$65,850.00.

You have submitted the following papers and documents in this connection: Form of proposal containing the contract bond signed by The Ohio Casualty Insurance Company; its power of attorney for the signer; its certificate of compliance with the laws of Ohio relating to surety companies; notice to bidders; proof of publication; estimate of cost; contract encumbrance record No. 2279 dated December 30, 1938; Division of contract; Workmen's Compensation certificate showing a compliance with the laws of Ohio relating to Workmen's Compensation; Controlling Board's Release; Tabulation of bids; Recommendations of State Architect; Approval of P. W. A.; Copy of a resolution of the Building Committee of Kent State University Board of Trustees dated December 30, 1938; Letter from Auditor of State showing all necessary papers are on file in his office.

Finding said contract in proper legal form, I have noted my approval thereon, and same is transmitted to you herewith, together with all papers and documents submitted in this connection.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

756.

BONDS—VILLAGE OF FAIRVIEW, CUYAHOGA COUNTY,
\$45,000.00.

COLUMBUS, OHIO, June 12, 1939.

Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN:

RE: Refunding Bonds of the Village of Fairview, Cuyahoga County, Ohio, \$45,000.00.

I have examined four transcripts of proceedings covering four refunding bond issues of the Village of Fairview, Cuyahoga County, Ohio. The bonds are being issued under authority of Section 2293-5p, General

Code. The four issues, together with the bond dates, aggregate amounts, maturity dates and interest rates are as follows:

Issue Nos.	Bond Dates	Aggregate Amounts	Maturities	Interest Rates
9	1/1/39	\$12,000	1/1/69	3—3½—4%
10	1/1/39	24,000	1/1/69	3—3½—4%
11	1/1/39	12,000	1/1/69	3—3½—4%
12	1/1/39	9,000	1/1/69	3—3½—4%

The interest on each issue is payable semiannually on January 1 and July 1 in each year until the principal sum is paid, and the bonds are subject to call in whole or in part upon any interest paying date.

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

Respectfully,

THOMAS J. HERBERT,

Attorney General.

757.

STATIONARY BOILER OR ENGINE—MORE THAN THIRTY HORSE POWER—“DULY LICENSED ENGINEER DIRECTLY IN CHARGE”—TEMPORARY ABSENCE—FACTS DETERMINE REASONABLE OR UNREASONABLE TIME—APARTMENT HOUSES—SECTION 1047 G. C.

SYLLABUS:

1. *Section 1047, General Code, requires a duly licensed engineer to be at all times directly in charge of any boiler of more than thirty horsepower, such as are used in apartment houses, during the time said boiler is in operation.*

2. *Such engineer may be temporarily absent from said boiler if such absence is not for an unreasonable time, the reasonableness of the time absent to be determined from the facts of each particular case.*

COLUMBUS, OHIO, June 13, 1939.

HON. GEORGE A. STRAIN, *Director, Department of Industrial Relations, Columbus, Ohio.*

DEAR SIR: This is to acknowledge a recent request from your office for an opinion, which reads as follows: