

5.

APPROVAL, CONTRACT OF STATE OF OHIO WITH MCGONAGLE AND CORBETT, FOR REPAIRS ON LAVATORY FITTINGS, STATE AUDITOR'S OFFICE, \$132.00.

COLUMBUS, OHIO, January 16, 1923.

HON. LEON C. HERRICK, *Director, Department of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval contract between the State of Ohio, acting by the Department of Highways and Public Works and McGonagle and Corbett, a partnership composed of Edward L. Corbett and Dennis J. McGonagle.

This contract covers the repairs on lavatory fittings in the State Auditor's office and calls for the expenditure of \$132.00.

You have further submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated sufficient to cover the sum stated in the contract. It further appears that this contract was let by competitive bidding and that the lowest bid was accepted.

Finding said contract in proper legal form, I have this day noted my approval thereon, and herewith return the same to you, together with the other papers submitted relating to this matter.

Yours respectfully,

C. C. CRABBE,  
*Attorney-General.*

6.

APPROVAL, ARTICLES OF INCORPORATION, THE LOCOMOTIVE ENGINEERS MUTUAL FIRE INSURANCE ASSOCIATION.

COLUMBUS, OHIO, January 16, 1923.

HON. THAD H. BROWN, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—The Articles of Incorporation of The Locomotive Engineers Mutual Fire Insurance Association are herewith returned to you with my approval endorsed thereon. This company is being organized under authority of section 9607-2 of the General Code.

Respectfully,

C. C. CRABBE,  
*Attorney-General.*

7.

DISAPPROVAL, REFUNDING BONDS, VILLAGE OF RITTMAN, WAYNE COUNTY, \$8,633.63.

COLUMBUS, OHIO, January 17, 1923.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*

Re: Refunding Bonds, Village of Rittman, Wayne County,  
\$8,633.63.

GENTLEMEN:—I have examined the transcript of the proceedings of the council and other officers of the Village of Rittman submitted in connection with the

above bond issue, and decline to approve the validity of said bonds for the following reasons:

1. Said bonds in the sum of \$8,633.63 are contemplated to be issued for the purpose of taking up past due obligations of said village and constitute extension bonds issued under section 3916 of the General Code. The past due obligations for which said bonds are to be issued consist of notes given by said village to the Rittman Savings Bank, Rittman, Ohio, and bear dates of August 3, 1915; September 16, 1915; November 2, 1912, and December 8, 1915, and amount to \$8,144.93.

2. By the amendment of section 3916 and the enactment of sections 2295-7 et seq. G. C. as provided in 109 O. L., 336, it would appear that the only indebtedness that can now be refunded under the existing laws at this time is bonded indebtedness incurred prior to January 1, 1913. As this indebtedness has been incurred subsequent to that time, I am therefore of the opinion that said bonds are not valid and binding obligations of said village and advise that you decline to accept the same.

There are other defects apparent in the transcript, which it is not necessary to itemize, as for the reason above given the bonds should be declined.

Respectfully,

C. C. CRABBE,

*Attorney-General.*

8.

DISAPPROVAL, BONDS OF CITY OF LIMA, ALLEN COUNTY, \$21,900,  
FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, January 17, 1923.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*

Re: Bonds of City of Lima, Allen County, \$8,300, Ewing Avenue Paving Refunding Bonds No. 3—\$13,600, Holmes Street Paving Refunding Bonds No. 2.

GENTLEMEN:—The above bonds are described as refunding bonds but the transcript does not show what indebtedness is intended to be refunded. The proceedings as nearly as the same can be ascertained from the transcript filed provide for the improvement of certain streets by paving and cover a period of legislation beginning in 1917 and terminating in 1922. As far as it is apparent from the proceedings at hand no bonds have ever been issued.

I am compelled to disapprove the transcript for the reason that refunding bonds so issued would be contrary to the provisions of section 3916 as amended by 109 O. L., 339, in the enactment of section 2295-7 of the General Code.

If it is contemplated to provide for the issuance of bonds under section 3914 G. C. to cover the cost of this improvement, the transcript does not show such proceedings as would make a valid and binding obligation of the city.

For the reason stated, I am of the opinion that the bonds are not valid and binding obligations of the City of Lima and advise the Industrial Commission not to accept the same.

Respectfully,

C. C. CRABBE,

*Attorney-General.*