

3699.

APPROVAL, CONTRACT OF STATE OF OHIO WITH THE OTIS ELEVATOR COMPANY FOR INSTALLATION OF PASSENGER ELEVATOR, NORTH HATCH WAY, WYANDOTTE BUILDING, COLUMBUS, AT A COST OF \$9,700—SURETY BOND EXECUTED BY NATIONAL SURETY COMPANY.

COLUMBUS, OHIO, November 3, 1922.

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

DEAR SIR:—You have submitted to me for approval a contract (five copies) between the State of Ohio, acting by the Department of Highways and Public Works, and the Otis Elevator Co., incorporated under the laws of Illinois. This contract is for the installation of one new passenger elevator in the north hatch way of the Wyandotte Building, Columbus, Ohio, and calls for an expenditure of Nine Thousand Seven Hundred Dollars (\$9,700.00).

Accompanying said contract is a bond to insure faithful performance, executed by National Surety Company.

I have before me the certificate of the Director of Finance that there is an unencumbered balance legally appropriated sufficient to cover the obligations of this contract.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon, and return same to you herewith, together with all other data submitted to me in this connection.

Respectfully,  
JOHN G. PRICE,  
*Attorney-General.*

3700.

DISAPPROVAL, REFUNDING BONDS OF VILLAGE OF OAKWOOD, \$4,000.

COLUMBUS, OHIO, November 3, 1922.

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

Re: Bonds of the Village of Oakwood in the amount of \$4,000 to refund outstanding indebtedness.

GENTLEMEN:—The bonds under consideration were issued to refund a number of items of indebtedness which are listed in section 1 of the ordinance as follows:

“Balance due Prospect Mfg. Co., on Fire Engine, \$206.96; Oakwood Light & Power Co., light for years 1918, 1919 and 1920 and interest thereon, \$1512.50; due the Continental Bank light bonds issued in 1918 for lights and interest thereon, \$1405.00; Oakwood Mutual Telephone Co., telephone rent, \$92.50; various Village Officials' salaries, \$369.41; McDowell, disinfectant and drugs, \$15.59; Bupp & Lighthill, hardware, \$28.00; various bills past due, unlisted, \$370.04; to the total amount of \$4000.00.”

It is the opinion of this department that a municipality, under authority of section 3916 G. C., is authorized to refund only legal obligations and that so called moral obligations which have been incurred contrary to the mandatory provisions of section 3806 G. C. cannot be considered as legal obligations and therefore cannot be refunded. It will be noted that a number of the listed items of indebtedness are of this latter character, particularly the following:

Fire engine -----	\$206.96
Telephone rent -----	92.50
Disinfectant and drugs-----	15.59
Hardware -----	28.00
"Various bills" unlisted-----	370.04

It may be that some of the other items are of the same character. Information contained in the transcript is however not full enough to make this certain.

A part of the above bond issue being for unauthorized purposes, I am under the necessity of disapproving the entire issue. I therefore advise that the Industrial Commission decline to purchase the bonds.

Respectfully,  
 JOHN G. PRICE,  
*Attorney-General.*

3701.

APPROVAL, BONDS OF LEROY RURAL SCHOOL DISTRICT, LAKE COUNTY, \$1,600, TO REPAIR AND IMPROVE SCHOOL PROPERTY.

COLUMBUS, OHIO, November 3, 1922.

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

3702.

DISAPPROVAL, BONDS OF VILLAGE OF CHESTERHILL, MORGAN COUNTY, \$3,000 FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, November 3, 1922.

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

Re: Bonds of the Village of Chesterhill, Morgan County, in the sum of \$3,000, for the purpose of improving North Street and Mill Street in said village.

GENTLEMEN:—On an examination of the transcript submitted to me of the proceedings of council of the village of Chesterhill, I find said proceedings to be fatally defective in this that the ordinance providing for this issue of bonds