

3227.

APPROVAL, BONDS OF SANDUSKY COUNTY, OHIO—\$146,130.88.

COLUMBUS, OHIO, May 15, 1931.

Industrial Commission of Ohio, Columbus, Ohio.

3228.

APPROVAL, BONDS OF TOWNSEND TOWNSHIP RURAL SCHOOL DISTRICT, SANDUSKY COUNTY, OHIO—\$43,500.00.

COLUMBUS, OHIO, May 15, 1931.

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

3229.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE GENERAL ELECTRIC COMPANY, OF SCHENECTADY, NEW YORK, FOR GENERATOR UNIT FOR POWER PLANT AT OHIO STATE UNIVERSITY, COLUMBUS, OHIO, AT AN EXPENDITURE OF \$60,750.99. SURETY BOND EXECUTED BY THE NATIONAL UNION INDEMNITY COMPANY.

COLUMBUS, OHIO, May 15, 1931.

HON. ALBERT 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 Trustees of the Ohio State University, and the General Electric Company of Schenectady, New York. This contract covers the construction and completion of a 4000 K.W. 80% P.F. Turbo Generator Unit for the power plant on the Ohio State University Campus, as covered by the form of proposal dated April 21, 1931. Said contract calls for an expenditure of Sixty Thousand, Seven Hundred Fifty and 00/100 (\$60,750.00) Dollars.

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 shown that the Controlling Board has approved the expenditure. In addition, you have submitted a contract bond, upon which the National Union Indemnity Company 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. A certificate from the Secretary of State shows that the foreign contracting corporation is authorized to do business in Ohio.

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.

3230.

APPROVAL, BONDS OF OTTAWA HILLS VILLAGE SCHOOL DISTRICT,
LUCAS COUNTY, OHIO—\$106,000.00.

COLUMBUS, OHIO, May 18, 1931.

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

3231.

BOND ISSUE—IN COUNTY WHEREIN BONDS, ISSUED PRIOR TO 1922,
HAVE MATURED BUT HAVE NOT BEEN PAID—COUNTY COM-
MISSIONERS REQUIRED TO OFFER PRESENT ISSUE TO TRUS-
TEES OF SINKING FUND BEFORE SELLING.

SYLLABUS:

When a county has outstanding bonds issued prior to January 1, 1922, which have matured but which have not been paid or retired, there is no authority for the abolition of the sinking fund of such county, and accordingly, under the provisions of Section 2293-27, General Code, the commissioners must, before selling any bonds or notes of the county, offer the same at par and accrued interest to the trustees of the sinking fund.

COLUMBUS, OHIO, May 18, 1931.

HON. DON W. MYERS, *Prosecuting Attorney, Elyria, Ohio.*

DEAR SIR:—Your letter of recent date is as follows:

"I am interested to obtain an opinion from your office concerning to whom any notes or bonds of a county should be offered wherein all bonds of the county issued prior to January 1, 1922 have matured but remain unpaid because of a failure to present said bonds for payment.

I might further state in the case under consideration that all bonds of this county issued prior to January 1, 1922 have matured, the last of which matured September 1, 1930, and two bonds, in the sum of \$1000.00