

tabulation of bids and awarding of contract, Workmen's Compensation Insurance and the qualifications of the Bonding Company.

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

Respectfully,  
C. C. CRABBE,  
*Attorney General.*

74.

DISAPPROVAL, BONDS OF SUFFIELD TOWNSHIP RURAL SCHOOL DISTRICT, PORTAGE COUNTY, \$85,000, TO ERECT FIREPROOF SCHOOL BUILDING.

COLUMBUS, OHIO, February 15, 1923.

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

Re: Bonds of Suffield Township Rural School District, Portage County, \$85,000, to erect a fireproof school building.

GENTLEMEN:—I have examined the transcript of the proceedings of the board of education and other officers relative to the above bond issue and decline to approve the validity of said bonds for the following reasons:

Section 7630-1 of the General Code provides:

"If a school house is wholly or partially destroyed by fire, or other casualty, or if the use of any school house or school houses for their intended purpose is prohibited by the order of the Industrial Commission of Ohio, \* \* \*"

that bonds may be issued. The order issued by the Industrial Commission and enclosed with the transcript does not prohibit anything, and whatever power the legislature may have vested in the Department of Industrial Relations to order new school buildings constructed, or buildings enlarged, it did not provide that if such department ordered a board of education to construct a new building, or enlarge a building, the board of education thereby became vested with power to issue bonds under the provisions of section 7630-1 G. C.

I refer you to the Ohio Bulletin and Reporter of January 29, 1923, in the case of *Stinson v. Board of Education*, page 273.

Respectfully,  
C. C. CRABBE,  
*Attorney General.*