

of Ohio, acting by the Department of Public Works, for the board of trustees, Ohio University, Athens, Ohio, and The Hawkins Construction Company of Newark, Ohio. This contract covers the construction and completion of contract for general work in a building known as the Library Building at the Ohio University, Athens, Ohio, as set forth in Item No. 1; Item No. 4, Alternate 3; Item No. 5, Alternate 4; Item No. 6, Alternate 5; Item No. 7, Alternate 6; Item No. 8, Alternate 6A; Item No. 11, Alternate 9; Item No. 12, Alternate 10; Item No. 14, Alternate 12; Item No. 15, Alternate 13; Item No. 18, Alternate 16 of the Form of Proposal dated May 27, 1930. Said contract calls for an expenditure of sixty-four thousand two hundred and ninety-five dollars (\$64,295.00).

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 also furnished evidence to the effect that the consent and approval of the Controlling Board to the expenditure have been obtained as required by Section 11 of House Bill No. 510 of the 88th General Assembly. In addition, you have submitted a contract bond, upon which the Ohio Casualty Insurance Company of Hamilton, Ohio, 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.

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.

2177.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE SAMUEL A. ESSWEIN HEATING AND PLUMBING COMPANY, COLUMBUS, OHIO, FOR HEATING AND PLUMBING IN LIBRARY BUILDING AT OHIO UNIVERSITY, ATHENS, OHIO, AT AN EXPENDITURE OF \$40,552.00—SURETY BOND EXECUTED BY THE COMMONWEALTH CASUALTY COMPANY OF PHILADELPHIA, PENNSYLVANIA.

COLUMBUS, OHIO, July 30, 1930.

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 Ohio University, Athens, Ohio, and the Samuel A. Esswein Heating and Plumbing Company, Columbus, Ohio. This contract covers the construction and completion of contract for heating and plumbing to be installed in a building known as Library

Building at the Ohio University, Athens, Ohio, as set forth in Item No. 35; Item No. 36, Alternate 1; Item No. 37, Alternate 2; Item No. 38, Alternate 3; Item No. 41, Alternate 6; Item No. 41 A, Alternate 7, of the Form of Proposal dated May 27, 1930. Said contract calls for an expenditure of forty thousand five hundred and fifty-two dollars (\$40,552.00).

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 also furnished evidence to the effect that the consent and approval of the Controlling Board to the expenditure have been obtained as required by Section 11 of House Bill No. 510 of the 88th General Assembly. In addition, you have submitted a contract bond, upon which the Commonwealth Casualty Company of Philadelphia, Pennsylvania, 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.

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.

2178.

COUNTY COMMISSIONERS—BOND ISSUE FOR ADDITION TO SEMI-PUBLIC CHILDREN'S HOME UNAUTHORIZED.

SYLLABUS:

A board of county commissioners may not issue bonds in the amount of two hundred thousand dollars for the purpose of constructing an addition to a children's home of an incorporated society when such home is to remain under the management of the board of trustees of such society.

COLUMBUS, OHIO, July 31, 1930.

Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.

GENTLEMEN:—Your letter of recent date is as follows:

"We are enclosing herewith a communication received from State Examiner R. H. S., relative to a situation existing in Butler County, as to which the question arises as to whether or not the county commissioners have authority under the law to submit to the electors, a proposition to issue bonds in the sum of \$200,000.00 and have a tax levied outside the fifteen mill limitation to pay off the principal and interest on same, for the purpose of erecting additional buildings at a semi-public children's home in Butler County.

Kindly render to this department your written opinion on this matter."