

3112.

APPROVAL, BONDS OF FRAZEYSBURG VILLAGE SCHOOL DISTRICT,
MUSKINGUM COUNTY, \$1,989.98.

COLUMBUS, OHIO, February 3, 1926.

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

3113.

APPROVAL, BONDS OF VILLAGE OF SALESVILLE, GUERNSEY
COUNTY, \$500.00.

COLUMBUS, OHIO, February 3, 1926.

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

3114.

APPROVAL, BONDS OF CHAMPION TOWNSHIP RURAL SCHOOL
DISTRICT, TRUMBULL COUNTY, \$15,000.00.

COLUMBUS, OHIO, February 2, 1926.

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

3115

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND COOLING
METHODS INCORPORATED, OF CLEVELAND, OHIO, COVERING
CONSTRUCTION AND COMPLETION OF REFRIGERATING PLANT
IN ANIMAL HUSBANDRY BUILDING, OHIO STATE UNIVERSITY,
AT EXPENSE OF \$3,690.00. SURETY BOND EXECUTED BY NAT-
IONAL SURETY COMPANY.

COLUMBUS, OHIO, February 4, 1926.

HON. GEORGE F. SCHLESINGER, *Department of Highways and Public Works, Columbus,
Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Highways and Public Works for and on behalf of the board of trustees of the Ohio State University, and Cooling Methods Incorporated, of Cleveland, Ohio. This contract covers the construction and completion of refrigerating plant in the Animal Husbandry Building, Ohio State Univer-

sity, and calls for an expenditure of \$3,690.00.

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. There has further been submitted a contract bond upon which the National Surety 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.

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,
C. C. CRABBE,
Attorney General.

3116.

DISAPPROVAL, BONDS OF LANIER TOWNSHIP, PREBLE COUNTY,
\$9,035.06.

COLUMBUS, OHIO, February 4, 1926.

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

Re: Bonds of Lanier township, Preble Preble county, \$9,035.06.

GENTLEMEN:—The foregoing issue of bonds purchased by you is a part of an issue bearing date of August 1, 1925, and payable semi-annually from February 1, 1926 to August 1, 1931 inclusive. This issue has been made under authority of House Bill No. 599, which was passed on April 6, 1923, and became effective July 26, 1923, and is based upon the finding of the state auditor as to the indebtedness as of August 1, 1923, to be funded.

The state auditor's certificate bears date of February 15, 1924, and makes finding as to the net indebtedness of the school district as required by House Bill No. 599. The bond resolution was passed on December 11, 1923, and provides that the bonds shall be dated August 1, 1923.

It will therefore be observed that the bond resolution was passed prior to the determination of the amount to be funded by the state auditor, and that the bond resolution provides a date for the bonds prior to the time that any proceeding or authorization of the bonds had been provided.

In the Opinions of Attorney General, 1921, Volume 1, page 168, which opinion was directed to the State Teachers' Retirement System, it was held:

"Upon examination of the transcript, for the above bond issue, I find that the resolution authorizing the issuance of the bonds was adopted November, 10, 1920, and that it is provided in said bond resolution that the bonds shall be dated October 1, 1920. I find no provision in the General Code which authorizes a board of education to issue bonds bearing date prior to the date of the passage of the legislation authorizing their issuance. In fact the General Code contains