

699.

APPROVAL, BOND FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES AS TREASURER OF KENT STATE COLLEGE—C. W. SEIBERLING.

COLUMBUS, OHIO, August 1, 1929.

Board of Trustees, Kent State College, Kent, Ohio.

GENTLEMEN:—You have submitted a bond for the sum of \$30,000.00, upon which C. W. Seiberling appears as principal and the Fidelity and Deposit Company of Maryland as surety, conditioned for the faithful performance of the duties of said principal as treasurer of Kent State College from May 13, 1929.

Said bond is executed evidently in pursuance of the provisions of Section 4 of House Bill 44 as enacted by the 78th General Assembly, 101 Ohio Laws 320. Said section requires such treasurer to give a bond in a sum to be determined by the trustees, which shall not be for a less sum than the estimated amount which may come into his control at any one time. Said section further requires said bond to be approved by the Attorney General.

You have further submitted a certified copy of the resolution of the Board of Trustees adopted July 8, 1929, which fixes said bond at the sum of \$30,000.00.

I have found said bond to be in proper form, executed in pursuance of law, and I have therefore endorsed my approval thereon. Said bond is being returned herewith.

Respectfully,

GILBERT BETTMAN,
Attorney General.

700.

MUNICIPALITY—UNAUTHORIZED TO JOIN WITH COUNTY IN CONSTRUCTING PUBLIC BUILDING—MAY LEASE SPACE IN COUNTY COURT HOUSE.

SYLLABUS:

1. *A county has no authority to join with a municipality for the purpose of constructing a joint county court house and city building either upon a site jointly acquired or upon land owned by the city or county.*

2. *In the event it is desired to devote a portion of the county court house to uses and purposes of a municipality, the county commissioners may execute a lease therefor under the provisions of Section 2419-2, General Code.*

HON. PAUL J. WORTMAN, *Prosecuting Attorney, Dayton, Ohio.*

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

"This office has been seeking authority upon the following question and request your opinion in the following matter:

Has a county the authority to join with a municipality in acquiring a site and constructing a joint county court house and city building? "

Can they join in the construction of a joint building upon the property owned either by the county or by the city?"