

75.

DISAPPROVAL, BONDS OF ELYRIA CITY SCHOOL DISTRICT, LORAIN COUNTY, \$175,000.00, TO REMODEL HIGH SCHOOL BUILDING.

COLUMBUS, OHIO, February 15, 1923.

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

Re: Bonds of Elyria City School District, Lorain County, to remodel high school building, \$175,000.00.

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.

Very respectfully,

C. C. CRABBE,

Attorney General.

76.

APPROVAL, CONTRACT OF STATE OF OHIO WITH THE SAMUEL E. ESSWEIN PLUMBING & HEATING COMPANY, COLUMBUS, OHIO, FOR CONSTRUCTION AND COMPLETION OF COMBINED PLUMBING AND HEATING WORK, COTTAGE “C”, INSTITUTION FOR FEEBLE MINDED, AT AN EXPENDITURE OF \$12,898.00—SURETY BOND EXECUTED BY THE INDEMNITY INSURANCE COMPANY OF NORTH AMERICA.

COLUMBUS, OHIO, February 15, 1923.

HON. LEON C. HERRICK, *Director 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, and

The Samuel A. Esswein Plumbing & Heating Co., a corporation incorporated under the laws of the State of Ohio, of Columbus, Ohio.

This contract covers the construction and completion of the combined plumbing and heating work for Cottage "C" at the Institution for Feeble Minded and calls for an expenditure of \$12,898.00.

A proper contract bond has been submitted to insure the faithful performance of the contract upon which the Indemnity Insurance Company of North America is surety. The certificate of the Director of Finance has also been submitted to the effect that there are unencumbered balances legally appropriated in an amount sufficient to cover the obligations of the contract.

You have further submitted evidence indicating that the statutes have been complied with in reference to the preparation and approval of plans, notice to bidders, 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.

77.

APPROVAL, CONTRACT OF STATE OF OHIO WITH BOYAJOHNS AND BARR, COLUMBUS, OHIO, FOR CONSTRUCTION AND COMPLETION OF COTTAGE "G", EXCLUSIVE OF ELECTRIC WIRING, PLUMBING AND HEATING, INSTITUTION OF FEEBLE MINDED, COLUMBUS, OHIO, AT A COST OF \$92,400.00—SURETY BOND EXECUTED BY THE GLOBE INDEMNITY COMPANY OF NEW YORK.

COLUMBUS, OHIO, February 15, 1923.

HON. LEON C. HERRICK, *Director 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, and Boyajohn & Barr, a partnership composed of H. M. Boyajohn and C. M. Barr, of Columbus, Ohio.

This contract covers the construction and completion of Cottage "G", exclusive of electric wiring, plumbing and heating, at the Institution of Feeble Minded, Columbus, Ohio, and calls for an expenditure of \$92,400.00.

Accompanying said contract is a proper contract bond upon which The Globe Indemnity Company of New York is surety.

There has further been submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated to cover the obligations of said contract. Evidence has also been submitted indicating that the statutes have been complied with in reference to the preparation and approval of plans, notice to bidders, tabulation of bids and awarding of contract, Workmen's Compensation Insurance and the qualifications of the Bonding Company.