

4557.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND DOWNING AND HETRICK, INC., COLUMBUS, OHIO, FOR CONSTRUCTION AND COMPLETION OF BOILER FEED WATER HEATING AND TREATING EQUIPMENT AT THE OHIO STATE PENITENTIARY, AT AN EXPENDITURE OF \$12,200.00—SURETY BOND EXECUTED BY THE FIDELITY AND CASUALTY COMPANY OF NEW YORK.

COLUMBUS, OHIO, August 9, 1932.

HON. JOHN MCSWEENEY, *Director of Public Welfare, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Welfare (Ohio Penitentiary), Columbus, Ohio, and Downing & Hetrick, Inc., Columbus, Ohio. This contract covers the construction and completion of Boiler Feed Water Heating and Treating Equipment complete, less boiler feed, wash water and booster pumps, for the Ohio Penitentiary, in accordance with the form of proposal dated June 10, 1932. Said contract calls for an expenditure of twelve thousand two hundred dollars (\$12,200.00).

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 shown that the Controlling Board has approved the expenditure in accordance with section 8 of House Bill No. 624 of the 89th General Assembly. In addition, you have submitted a contract bond upon which the Fidelity and Casualty Company of New York 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.*

4558.

COUNTY COMMISSIONERS—UNAUTHORIZED TO ALLOW CLAIM FOR SHEEP KILLED BY DOGS WHERE TOWNSHIP TRUSTEES HAVE DETERMINED SUCH LOSS WAS NOT SO CAUSED.

SYLLABUS:

*A board of county commissioners has no authority to allow a claim for sheep killed by dogs after the township trustees of the township in which such killing occurred have determined that such loss or injury was not so caused.*