

1189.

APPROVAL, PROPOSED AGREEMENT BETWEEN THE OHIO BOARD OF ADMINISTRATION AND THE CLEVELAND, CINCINNATI, CHICAGO & ST. LOUIS RAILWAY COMPANY FOR CONSTRUCTION OF PRIVATE CROSSING OVER RIGHT OF WAY AND RAILROAD TRACKS AT PRISON FARM NEAR LONDON, OHIO.

COLUMBUS, OHIO, April 29, 1920.

The Ohio State Board of Administration, Columbus, Ohio.

GENTLEMEN:—Acknowledgment is made of the receipt of your recent letter transmitting the proposed agreement between your board and the Cleveland, Cincinnati, Chicago & St. Louis Railway Company, covering the location and construction of a private crossing for pedestrians and vehicles across the right of way and tracks of said railroad near London, Ohio. My information is that the purpose of this agreement is to thus provide a crossing in connection with the use of the new prison farm and especially in connection with the building of the new penitentiary thereon, as provided for in 103 O. L., 249.

It is believed that the subject matter of the contract is so incidental to and necessary for carrying out the power expressly granted in that act, as to be within the purposes for which it was enacted. See also sections 1832 et seq. and 2314 et seq., and appropriating acts in 107 O. L., pp. 234, 309 and 346.

It appearing by the appropriation certificate of the state auditor hereto attached that the funds necessary for the performance of this agreement are available, this contract is therefore approved as to form. It may be pointed out, however, that in so far as this appropriation may be affected by section 22 of Article II of the Constitution of Ohio, as construed in *State ex rel. vs. Donahey*, 93 O. S., 414, the appropriation will not be available for a longer period than two years. This is pointed out more as a matter of precaution for future administration purposes, as I am informed that this question does not in the present case present any practical difficulty.

Respectfully,
JOHN G. PRICE,
Attorney-General.

1190.

APPROVAL, BONDS OF SPECIAL RURAL SCHOOL DISTRICT OF GREEN TOWNSHIP, CLARK COUNTY, OHIO, IN AMOUNT OF \$30,000 FOR ESTABLISHMENT OF SCHOOL HOUSE.

COLUMBUS, OHIO, April 30, 1920.

Industrial Commission of Ohio, Columbus, Ohio.

1191.

APPROVAL, BONDS OF VILLAGE OF CHAGRIN FALLS IN AMOUNT OF \$6,764 FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, April 30, 1920.

Industrial Commission of Ohio, Columbus, Ohio.