

Tile and Terrazzo contract in the New Chemistry Building, Ohio State University, Columbus, Ohio, and calls for an expenditure of Nine thousand five hundred forty-four (\$9,544.00) dollars.

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 furnished evidence to the effect that the consent of the Controlling Board to the expenditure has been obtained, as required by Section 12 of House Bill No. 502 of the 87th General Assembly. In addition you have submitted a contract bond, upon which the Royal Indemnity 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,  
EDWARD C. TURNER,  
*Attorney General.*

2191.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND BRUCE WILDER SAVILLE, AS SCULPTOR, FOR THE CONSTRUCTION OF BRONZE GROUP AS PART OF MONUMENT ON THE BATTLEFIELD OF FALLEN TIMBERS, AT AN EXPENDITURE OF \$14,750.00.

COLUMBUS, OHIO, June 2, 1928.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and opinion a contract between Bruce Wilder Saville, of New York City, and the State of Ohio, acting by the Department of Public Works. This contract covers the employment of Bruce Wilder Saville, as sculptor, for the erection and construction of a bronze group as part of the monument to commemorate the victory of General Wayne on the Battlefield of Fallen Timbers, and involving an expenditure of Fourteen Thousand Seven Hundred and Fifty (\$14,750.00) dollars.

Inasmuch as the work covered by the above contract is of such a character that it was impracticable to advertise for and receive competitive bids therefor, the advertising for bids and the tabulation of bids were dispensed with. You have, however, furnished evidence that the Controlling Board has given its consent to the expenditure of the money for said contract, as required by Section 12 of House Bill No. 502 of the 87th General Assembly, and also an encumbrance estimate certified by the Director of Finance to the effect that there are unencumbered balances legally appropriated in an amount sufficient to cover the obligation of said contract.

Finding said contract in proper legal form and properly executed, I have this day noted my approval thereon and return the same herewith to you, together with all other papers submitted in this connection.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*