

requisitions in proportion based upon the respective shares of county and state. It is the understanding of this office that such is the general practice of your Department. However, when special cases arise, such as are described in your letter, or whenever he deems it in the public interest to do so, the Director is fully warranted in making the requisitions for current estimates wholly upon the county until the share of the county is exhausted, with the exception above noted that requisitions upon the county should not, until the time comes for paying the retained ten per cent., exceed ninety per cent. of the aggregate share of the county.

The "pay-rolls" mentioned in your letter are presumed to be those for superintendents and inspectors as mentioned in Sec. 1219, G. C. Since by the terms of said section, such item is to be treated as part of the cost of an improvement, the same rule would apply to pay-rolls as applies to estimates, save that requisitions for pay-rolls are not subject to the ninety per cent. restriction above noted.

Respectfully,
 JOHN G. PRICE,
Attorney-General.

3771.

APPROVAL, CONTRACT OF STATE OF OHIO WITH W. M. BARDO, TOLEDO, FOR REMODELING KITCHEN, TOLEDO STATE HOSPITAL, AT A COST OF \$11,903—SURETY BOND EXECUTED BY NEW AMSTERDAM CASUALTY COMPANY.

COLUMBUS, OHIO, November 28, 1922.

HON. LEON C. HERRICK, *Director, Department of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted to me for approval a contract (four copies) between the State of Ohio, acting by the Department of Highways and Public Works, and W. M. Bardo, of Toledo, Ohio. This contract is for the remodeling of kitchen, Toledo State Hospital, Toledo, Ohio, and calls for an expenditure of Eleven Thousand, Nine Hundred and Three Dollars (\$11,903.00).

Accompanying said contract is a bond to insure faithful performance, executed by New Amsterdam Casualty Company.

I have before me the certificate of the Director of Finance that there is an unencumbered balance legally appropriated sufficient to cover the obligations of this contract.

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

Respectfully,
 JOHN G. PRICE,
Attorney-General.