

vote of the people any plan to reopen the quarry which would involve the purchase of new equipment and machinery, even though such a purchase would not involve a tax levy or bond issue.

Respectfully,

HERBERT S. DUFFY,

Attorney General.

1008.

APPROVAL—CONTRACT BY AND BETWEEN THE CITY OF
MARIETTA AND THE STATE OF OHIO COVERING THE
PROPOSED IMPROVEMENT OF GILMAN STREET.

COLUMBUS, OHIO, August 13, 1937.

HON. JOHN JASTER, JR., *Director of Highways, Columbus, Ohio.*

DEAR SIR: You have submitted for my approval, as to form and legality, a certain contract in duplicate by and between the City of Marietta and the Director of Highways, covering the proposed improvement of the Gilman Street extension in Marietta, Washington County, Ohio, W. P. M. A., 983-A. Attached thereto is a certificate of the City Auditor of Marietta, Ohio, certifying that the money required for the payment of the cost of said improvement, other than that part assumed by the State, is in the City Treasury or in process of collection for the State and City Road Improvement Fund and not appropriated for any other purpose. There is also attached certificate of the Auditor of the Department of Highways certifying that the money representing all cost of said improvement, except the sum to be paid by the City of Marietta, is payable from an advance of Federal funds deposited in the State Treasury in a trust account, and that no funds of the State of Ohio are in anywise obligated for the payment of any of the cost of said project.

After examination, I find said contract to be correct as to form and legality and I have, therefore, attached my signature thereto approving the same, which is being returned herewith.

Respectfully,

HERBERT S. DUFFY,

Attorney General.