

in proper legal form and when the same is properly executed it will constitute a valid and binding contract.

Said proposed contract is being returned herewith.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5090.

APPROVAL—PROPOSED AGREEMENT FOR ELIMINATION
OF GRADE CROSSING IN CLARK COUNTY, OHIO—DE-
TROIT, TOLEDO AND IRONTON RAILROAD COMPANY.

COLUMBUS, OHIO, January 10, 1936.

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

DEAR SIR: You have submitted for my consideration a proposed agreement by and between the Director of Highways and the Detroit, Toledo and Ironton Railroad Company, covering the elimination of the grade crossing over the tracks of said company on State Highway No. 197, located at a point in Clark County, Ohio, known as Thorps Crossing.

After examination, it is my opinion that said proposed agreement is in proper legal form and when the same is properly executed it will constitute a valid and binding contract.

Said proposed contract is being returned herewith.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5091.

CONSTITUTIONAL AMENDMENT—GENERAL ASSEMBLY IN
SPECIAL SESSION MAY NOT PASS JOINT RESOLUTION
SUBMITTING CONSTITUTIONAL AMENDMENT UNLESS
AUTHORIZED BY GOVERNOR.

SYLLABUS:

The General Assembly in special session has no authority to pass a joint resolution submitting a constitutional amendment in accordance with the provisions of Article XVI, Section 1 of the Constitution, unless such action is authorized by the proclamation of the Governor calling the General Assembly in special session or in a subsequent public proclamation or message to the General Assembly issued by the Governor during such special session, as provided by Article III, Section 8 of the Constitution.