

nated by the Director of Highways as necessary for use in any scheme of highway improvement adjacent to said canal lands.

I have not been advised that any part of the parcel of land above described has been designated by the Highway Director for use for highway purposes, and inasmuch as said lease is in all respects in conformity with the provisions of Section 1 of said act and with other statutory provisions relating to the execution of leases of this kind, said lease is hereby approved as to legality and form, subject to the reservation that if any part of said parcel of land has been taken by the State Highway Director for highway purposes the land so taken is, of course, excepted from the operation of said lease.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*

2231.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND BOYAJOHNS AND BARR, INC., COLUMBUS, OHIO, FOR GENERAL CONTRACT TOGETHER WITH ALTERNATES A, B, NOS. 2, 7, 8 AND 9, FOR PHYSICAL EDUCATION BUILDING, OHIO STATE UNIVERSITY, COLUMBUS, OHIO, AT AN EXPENDITURE OF \$412,690.00—SURETY BOND EXECUTED BY THE SOUTHERN SURETY COMPANY OF NEW YORK.

COLUMBUS, OHIO, August 13, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the board of trustees of the Ohio State University, and Boyajohn and Barr, Inc., of Columbus, Ohio. This contract covers the construction and completion of general contract (Items 1-17 inclusive), together with Alternates A, B, Nos. 2, 7, 8 and 9, for Physical Education Building, Ohio State University, Columbus, Ohio, as set forth in the Form of Proposal dated July 9, 1930. Said contract calls for an expenditure of four hundred and twelve thousand six hundred and ninety dollars (\$412,690.00).

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 and approval of the Controlling Board to the expenditure have been obtained as required by Section 11 of House Bill No. 510 of the 88th General Assembly. In addition, you have submitted a contract bond, upon which the Southern Surety Company of New York 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,

GILBERT BETTMAN,  
*Attorney General.*