

In view of what has been said above, I am of the opinion that where in the construction of a public building for the use of the state, or an institution supported in whole or in part by the state, bids are received for the individual trades involved in the construction of such building, the amount of the contract for each such trade must not exceed the estimated cost of the work covered by such trade.

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

---

2082.

DISAPPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE HUFFMAN-WOLFE COMPANY, COLUMBUS, OHIO, FOR HEATING AND PLUMBING ON THE ADDITIONS TO MUSEUM AND LIBRARY BUILDING, OHIO STATE UNIVERSITY, COLUMBUS, OHIO.

COLUMBUS, OHIO, May 12, 1928.

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

DEAR SIR:—You have submitted, for my examination and approval, a contract between the State of Ohio, acting by the Department of Public Works, for and on behalf of The Ohio State Archaeological and Historical Society, and The Huffman-Wolfe Company of Columbus, Ohio, which contract calls for the heating and plumbing on Additions to Museum and Library Building.

The consideration named in the contract is the sum of ten thousand, nine hundred and seven (\$10,907.00) dollars. An examination of the estimate of cost reveals that the estimated cost of the plumbing and heating is the sum of ten thousand thirty-five (\$10,035.00) dollars. It is apparent, therefore, that the amount of the contract awarded is in excess of the estimated cost.

Under date of March 5, 1928, this department rendered an opinion addressed to you, being Opinion No. 1812, in which, under similar circumstances, a contract with The Wege Marble & Company, of Columbus, Ohio, calling for the marble, tile and terrazzo work on the new chemistry building at the Ohio State University was disapproved. In accordance with the holding of that opinion, I am compelled to disapprove the contract now under consideration.

I am returning the contract and other papers submitted without my approval noted thereon.

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

---

2083.

DISAPPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE WEGE MARBLE AND TILE COMPANY, COLUMBUS, OHIO, FOR THE CONSTRUCTION OF MARBLE AND TERRAZZO WORK ON THE ADDITIONS TO THE MUSEUM AND LIBRARY BUILDING, OHIO STATE UNIVERSITY, COLUMBUS, OHIO.

COLUMBUS, OHIO, May 12, 1928.

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

DEAR SIR:—You have submitted, for my examination and opinion, a contract

between the State of Ohio, acting by the Department of Public Works, for and on behalf of the Ohio State Archaeological and Historical Society, and The Wege Marble & Tile Company, Columbus, Ohio, which contract calls for the construction and completion of the marble and terrazzo work on the Additions to the Museum and Library Building.

The consideration named in the contract is the sum of ten thousand, two hundred and eight (\$10,208.00) dollars. An examination of the estimate of cost reveals that the estimated cost of the marble and terrazzo is the sum of six thousand, five hundred fifty-six (\$6,556.00) dollars. It is apparent, therefore, that the amount of the contract awarded is in excess of the estimated cost.

Under date of March 5, 1928, this department rendered an opinion addressed to you, being Opinion No. 1812, in which, under similar circumstances and involving the same contractor, a contract for the marble, tile and terrazzo for the new chemistry building at the Ohio State University was disapproved. In accordance with the holding of that opinion I am compelled to disapprove the contract now under consideration.

I am returning the contract and other papers submitted without my approval noted thereon.

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

2084.

APPROVAL, BONDS FOR THE FAITHFUL PERFORMANCE OF THEIR DUTIES—RESIDENT DISTRICT DEPUTY HIGHWAY DIRECTORS, RESIDENT DIVISION DEPUTY DIRECTORS AND CHIEF ENGINEER OF THE BUREAU OF BRIDGES, DEPARTMENT OF HIGHWAYS.

COLUMBUS, OHIO, May 12, 1928.

HON. GEORGE F. SCHLESINGER, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted to this department certain bonds given by various Resident District Deputy Highway Directors, for the faithful performance of their duties, as follows:

<i>Name.</i>
Charles L. Ash, Allen County.
Leslie G. Shenberger, Ashland County.
Curtis V. Lattimer, Franklin County.
J. W. Harper, Henry County.

You have likewise submitted for my approval bonds executed by M. I. Henahan, Resident Division Deputy Director, in the Department of Highways; H. C. Miller, Resident Division Deputy Director, in the Department of Highways; O. W. Merrell, Resident Division Deputy Director, in the Department of Highways, and J. R. Burkey, Deputy Director, and who shall act as Chief Engineer, Bureau of Bridges, Department of Highways.

I find all of the foregoing official bonds in proper legal form, and I have noted my approval thereon as to form, and am returning the same herewith to you.

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