

of such hospital would be precluded from engaging in private surgical practice in that hospital even though all other surgeons of course have the right so to do. I know of no statutory provision nor of any provision of law which would support such a position.

It is accordingly my opinion, in specific answer to your inquiry, that a trustee of a district tuberculosis hospital who is a surgeon is not prohibited from accepting employment from outside sources, including counties of legal settlement of indigent patients, for the performance of operations upon patients of such hospital and being compensated therefor from such outside sources.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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2685.

APPROVAL—CONTRACT AND BOND, STATE OF OHIO, THROUGH DIRECTOR, DEPARTMENT OF PUBLIC WORKS, WITH JOHN C. CASHMAN, SPRINGFIELD, OHIO, CONSTRUCTION UNDERGROUND TUNNEL, PROJECT, NEW UNDERGROUND TUNNEL AND DINING ROOM TABLES AND SEATS, OHIO STATE REFORMATORY, MANSFIELD, OHIO, TOTAL EXPENDITURE, \$3,566.00.

COLUMBUS, OHIO, July 12, 1938.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: You have submitted for my approval a contract by and between John C. Cashman, Springfield, Ohio, and the State of Ohio, acting by Carl G. Wahl, Director of Public Works, for the construction and completion of Contract for Underground Tunnel for a project known as New Underground Tunnel and Dining Room Tables and Seats for Ohio State Reformatory, Mansfield, Ohio, as set forth in Item 1 of the Form of Proposal dated June 13, 1938, which contract calls for the total expenditure of three thousand five hundred and sixty-six dollars (\$3,566.00).

You have also submitted the following papers and documents in this connection: Encumbrance record No. 44, dated June 20, 1938, the estimate of cost, the division of contract, the notice to bidders, the proof of publication, workmen's compensation certificate showing the con-

tractor having complied with the laws of Ohio relating to compensation, the form of proposal containing the contract bond signed by the Massachusetts Bonding and Insurance Company, its power of attorney for the signer, its financial statement and its certificate of compliance with the laws of Ohio relating to survey companies, the recommendations of the State Architect and Engineer, Director of Public Welfare and Director of Public Works, letter of certification from the Auditor of State showing that the necessary papers and documents are on file in said office, Controlling Board releases, and the tabulation of bids received on this project.

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 documents submitted in this connection.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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2686.

APPROVAL—ABSTRACT OF TITLE AND OTHER INSTRUMENTS, STATE OF OHIO, THROUGH ADJUTANT GENERAL, PROPOSED PURCHASE, BOARD OF COUNTY COMMISSIONERS, HARDIN COUNTY, OHIO, DESIGNATED LAND, CITY OF KENTON, HARDIN COUNTY, OHIO, PURCHASE PRICE, \$30,000.00.

COLUMBUS, OHIO, July 12, 1938.

HON. EMIL F. MARX, *Adjutant General of Ohio, Columbus, Ohio.*

DEAR SIR: There have been submitted for my examination and approval a corrected abstract of title, warranty deed, contract encumbrance record No. 1 and other files relating to the proposed purchase by the State of Ohio of a certain lot and parcel of land in the City of Kenton, Hardin County, Ohio, the same being more particularly described as follows, to wit:

In-Lot Number Sixty (60) in the original plat of the Town (Now City) of Kenton, Hardin County, Ohio, as the same is designated on the recorded plat thereof, in Volume "A", at Page 2, Plat Records of said County.

Upon examination of the abstract of title of the above described lot and parcel of land, upon which there is erected and constructed a