

I am therefore of the opinion that county commissioners may legally purchase handcuffs and pistols for the use of the sheriff and his deputies from county funds.

Respectfully,
EDWARD C. TURNER,
Attorney General.

102.

DISAPPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND McCURRAN BROTHERS OF XENIA, OHIO—TO CONSTRUCT SEWER C. N. & I. DEPARTMENT, WILBERFORCE UNIVERSITY, WILBERFORCE, OHIO—\$40,875.00.

COLUMBUS, OHIO, February 24, 1927.

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

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Highways and Public Works, and McCurran Bros. of Xenia, Ohio. This contract covers the construction and completion of combined general contract for sewage disposal, C. N. & I. Department, Wilberforce University, Wilberforce, Ohio, and calls for an expenditure of \$40,875.00.

Said contract is returned herewith disapproved for the reason that the copy of the resolution passed by the Board of Trustees of the C. N. & I. Department on December 2nd, 1926, as shown by a letter dated December 3, 1926, does not show that a quorum of the Board of Trustees participated in the meeting at which said resolution was passed.

Respectfully,
EDWARD C. TURNER,
Attorney General.

103.

DIRECTOR OF HIGHWAYS—HAS AUTHORITY TO LAY SEWER PIPES ACROSS RAILROAD PROPERTY OCCUPYING PUBLIC HIGHWAY BY VIRTUE OF EASEMENT—CONTRACT TO PAY COMPANY RENT WOULD BE WITHOUT CONSIDERATION TO THE STATE OF OHIO.

SYLLABUS:

The Director of Highways and Public Works has lawful authority to lay sewer pipes across and under the tracks of a railroad company occupying the public highway by virtue of an easement and a contract entered into to pay said company an annual rental fee for such use would be without consideration to the State of Ohio.

COLUMBUS, OHIO, February 25, 1927.

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

DEAR SIR:—I acknowledge receipt of your communication of recent date, to which is attached an agreement granting to the Department of Highways and Public