

The above purchase of bonds appears to be part of an issue of bonds of the above city dated September 1, 1929. The transcript relative to this issue was approved by this office in an opinion rendered to the State Teachers Retirement System under date of June 5, 1936, being Opinion No. 5685.

It is accordingly my opinion that these bonds constitute a valid and legal obligation of said city.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

420.

APPROVAL, CONTRACT BY AND BETWEEN THE BOARD OF COMMISSIONERS OF PERRY COUNTY AND THE STATE OF OHIO OF EXISTING SEPARATE CROSSING OVER THE TRACKS OF THE B. & O. R. R. AND HIGHWAY NO. 356 IN SOMERSET, OHIO.

COLUMBUS, OHIO, April 7, 1937.

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

DEAR SIR: You have submitted for my approval a contract by and between the Board of County Commissioners of Perry County and the State of Ohio acting by the Director of Highways providing for the reconstruction of the existing separated crossing over the tracks of the Baltimore and Ohio Railroad Company and State Highway No. 356 located in the Village of Somerset, Perry County, Ohio.

You have also submitted the county auditor's certificate of Perry County, Ohio certifying that the money required for the payment under said contract is in the treasury or in process of collection and not appropriated for any other purpose.

You have also submitted the certificate of the auditor of the Department of Highways of the State of Ohio that the sum of Thirty-three thousand (\$33,000.00) Dollars is deposited in the State Treasury of the State of Ohio and is an advance of Federal funds and is charged against an appropriation made to the Bureau of Public Roads of the United States Department of Agriculture and that said funds are not otherwise encumbered.

Finding said contract in proper legal form, I have endorsed my approval thereon and return the same herewith to you, together with other papers submitted in this connection.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*