

It is believed that a more specific answer to the questions submitted may not be given.

Respectfully,
JOHN W. BRICKER,
Attorney General.

4388.

APPROVAL, CONTRACT FOR GENERAL WORK FOR PROJECT KNOWN AS T. B. COTTAGE, HAWTHORNDEN FARM, CLEVELAND STATE HOSPITAL, CLEVELAND, OHIO, \$120,595.00, SEABOARD SURETY COMPANY OF NEW YORK, N. Y., SURETY—ROBERT H. EVANS & CO., COLUMBUS, OHIO.

COLUMBUS, OHIO, July 3, 1935.

HON. T. S. BRINDLE, *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 Department of Public Welfare, and The Robert H. Evans & Co., of Columbus, Ohio. This contract covers the construction and completion of contract for General Work for a project known as T. B. Cottage, Hawthornden Farm, Cleveland State Hospital, Cleveland, Ohio, in accordance with Item No. 1 and Item No. 6 (Alt. G-5) of the form of proposal dated May 13, 1935. Said contract calls for an expenditure of one hundred twenty thousand five hundred ninety-five dollars (\$120,595.00).

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 submitted a certificate of the Controlling Board showing that said board has released moneys for this project, in accordance with section 1 of House Bill No. 69 of the second special session of the 90th General Assembly.

In addition, you have submitted a contract bond upon which the Seaboard Surety Company of New York, N. Y., 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,
JOHN W. BRICKER,
Attorney General.

4389.

APPROVAL, CORRECTED BOND FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES AS RESIDENT DISTRICT DEPUTY DIRECTOR—EARL W. RIBER.

COLUMBUS, OHIO, July 3, 1935.

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

DEAR SIR:—You have submitted for my approval a bond to guarantee the faithful performance of the duties of Earl W. Riber, as Resident District Deputy Director in Preble County, upon which bond the Ohio Casualty Insurance Company appears as surety.

Having examined such bond, and finding that it has been properly corrected in accordance with suggestions contained in Opinion No. 4346, rendered June 20, 1935, same is hereby approved, and is being returned herewith.

Respectfully,

JOHN W. BRICKER,
Attorney General.

4390.

OLD AGE PENSION—"INCOME" AS USED IN OLD AGE PENSION LAW DEFINED.

SYLLABUS:

"Income" as used in the Old Age Pension Law discussed and defined.

COLUMBUS, OHIO, July 3, 1935.

HON. H. J. BERRODIN, *Chief, Division of Aid for the Aged, Columbus, Ohio.*

DEAR SIR:—I am in receipt of your recent letter which reads in part as follows:

"Will you please furnish this Division with a written legal opinion in interpretation of the word 'income,' as contained in the following sections of General Code of Ohio 1359, being the law which provides for the granting of Aid to Aged Persons:

Section 2 (g) 'His *income* from any and all sources does not exceed \$300.00 per year;'

Section 2 (j) 'Has not directly or indirectly deprived himself of property or *income* in order to qualify for aid.'

Section 3. 'The amount of aid payable to any person shall not exceed \$25.00 per month, diminished by such an amount that the total *income* of such person from any and all sources, including such aid, shall not exceed \$300.00 per year.'

Section 4. 'If the applicant for or recipient of aid is married, the total amount of aid payable to the husband and wife shall not exceed \$50.00 per month, diminished by such an amount that the combined *income* of both from