

It is the opinion of this department that said contract and bond are in proper legal form and duly executed, and that the procedure in connection therewith has been made according to law. Therefore I have noted my approval thereon and return same to you herewith, together with all the data submitted in this connection.

Respectfully,
C. C. CRABBE,
Attorney-General.

4.

APPROVAL, CONTRACT OF STATE OF OHIO WITH THE JOHN HARSH BRONZE AND FOUNDRY COMPANY, CLEVELAND, FOR ERECTION AND COMPLETION OF FLAG CASES FOR WORLD WAR FLAGS, \$11,950—SURETY BOND EXECUTED BY THE REPUBLIC CASUALTY COMPANY.

Department of Highways and Public Works, Columbus, Ohio.

COLUMBUS, OHIO, January 15, 1923.

GENTLEMEN:—You have submitted to this department for approval, a contract between the State of Ohio, acting by the Battle Flag Committee consisting of the Governor, Auditor of State, and Adjutant General as created by the General Assembly in an act found in 109 O. L. 545, and The John Harsh Bronze and Foundry Company of Cleveland, an Ohio corporation. This contract is for the erection and completion of flag cases for the World War flags and calls for the expenditure of \$11,950.00. You have further submitted a certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated to cover the amount designated in the contract. Accompanying said contract is a proper bond to insure faithful performance upon which the Republic Casualty Company of Pittsburgh is surety. There has been submitted sufficient evidence as to the qualifications of said surety company to do business in Ohio. Evidence has been submitted showing that the plans for the proposed work were approved by the Battle Flag Committee, and the certificate of the Industrial Commission as required by section 2319 G. C. has been presented. You have further submitted evidence to the effect that the Controlling Board waived the provisions of section 6 of H. B. 301 relative to the requirements of advertising, etc. However, it appears that notwithstanding the action of said board, you did obtain competitive bids, which were tabulated and the lowest bid was accepted.

Inasmuch as the contract and bond are in proper legal form and the other proceedings relating thereto are in all respects legal, I have this day noted my approval thereon and return the same to you herewith, together with all other data submitted in connection with the matter.

Respectfully,
C. C. CRABBE,
Attorney-General.