

which you propose to execute in behalf of the State of Ohio with the New York, Chicago and St. Louis Railroad Company, covering the construction of a grade separation project under the tracks of the railroad company on State Highway No. 294 at Avery in Erie County, Ohio.

I have carefully examined the proposed contract and am of the opinion that it is in all respects in conformity with law. I am accordingly returning the three copies herewith and you are advised that the proposed contract meets with my approval as to its form.

Respectfully,
EDWARD C. TURNER,
Attorney General.

2531.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE CLEVELAND, CINCINNATI, CHICAGO & ST. LOUIS RAILWAY COMPANY, FOR THE ELIMINATION OF GRADE CROSSING, NEAR DAYTON, MONTGOMERY COUNTY, OHIO.

COLUMBUS, OHIO, September 4, 1928.

HON. HARRY J. KIRK, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, as first party, and The Cleveland, Cincinnati, Chicago & St. Louis Railway Company, as second party.

This agreement pertains to the elimination of a grade crossing over the tracks of The Cleveland, Cincinnati, Chicago & St. Louis Railway Company on State Highway No. 19, Section "J," at a point about four miles south of Dayton, in Montgomery County, Ohio.

I have examined said contract and find it in proper legal form, and I hereby approve and return the same to you.

Respectfully,
EDWARD C. TURNER,
Attorney General.

2532.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE D. E. GARDNER CO., PORTSMOUTH, OHIO, FOR THE CONSTRUCTION OF POWER HOUSE, INSTITUTION FOR FEEBLE MINDED, COLUMBUS, OHIO, AT AN EXPENDITURE OF \$52,091.00—SURETY BOND EXECUTED BY THE FIDELITY AND CASUALTY COMPANY OF NEW YORK.

COLUMBUS, OHIO, September 4, 1928.

HON. HERBERT B. BRIGGS, *State Architect and Engineer, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Welfare and The D. E. Gardner Com-

pany, of Portsmouth, Ohio. This contract covers the construction and completion of general contract (exclusive of plumbing) for power house, Institution for Feeble-minded, Columbus, Ohio, and calls for an expenditure of fifty-two thousand and ninety-one dollars (\$52,091.00).

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 furnished evidence to the effect that the consent and approval of the Controlling Board to the expenditure has been obtained as required by Section 12 of House Bill No. 502 of the 87th General Assembly. In addition you have submitted a contract bond upon which the Fidelity and Casualty Company of New York 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,
EDWARD C. TURNER,
Attorney General.

2533.

APPROVAL, BONDS OF SANDUSKY COUNTY, OHIO—\$4,500.00.

COLUMBUS, OHIO, September 4, 1928.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

2534.

APPROVAL, BONDS OF SANDUSKY COUNTY, OHIO—\$21,000.00.

COLUMBUS, OHIO, September 4, 1928.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.