

216.

APPROVAL, NOTES OF CARDINGTON VILLAGE SCHOOL DISTRICT,
MORROW COUNTY, OHIO—\$7004.00.

COLUMBUS, OHIO, March 16, 1933.

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

217.

APPROVAL, BOND FOR THE FAITHFUL PERFORMANCE OF HIS
DUTIES AS DIRECTOR OF HIGHWAYS—O. W. MERRELL.

COLUMBUS, OHIO, March 16, 1933.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted a bond, in the penal sum of \$10,000, with surety as indicated, to cover the faithful performance of the duties of the official as hereinafter listed:

Otho Walter Merrell, Director of Highways—The Century Indemnity Company.

The above bond is evidently executed pursuant to provisions of sections 1179 and 1182-3 of the General Code. An examination of the bond shows that it is in proper legal form, and I am therefore endorsing my approval thereon as to form and returning it herewith.

Respectfully,

JOHN W. BRICKER,
Attorney General.

218.

APPROVAL, LEASE TO CERTAIN RESERVOIR LAND IN AKRON, OHIO.

COLUMBUS, OHIO, March 16, 1933.

HON. EARL H. HANEFELD, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of a recent communication from the Chief of the Bureau of Inland Lakes and Parks of the Division of Conservation in your department, submitting for my examination and approval a certain reservoir land lease in triplicate executed by the Conservation Commissioner to one J. V. Swartz of Akron, Ohio.

By the lease here in question, which is one for a stated term of fifteen years, and which calls for an annual rental of six dollars, there is leased and demised to the lessee above named for the term stated the right to use and occupy for boathouse, docklanding and walkway purposes the water front and state land in

the rear thereof, that lies immediately in front of Lot No. 6, of the F. S. Lahm Addition, Portage Lakes; said lot having a frontage of thirty-six feet and being in Section 12, Franklin Township, Summit County, Ohio.

Upon examination of this lease, I find that the same has been properly executed by the Conservation Commissioner and by the above named lessee. I also find, upon an examination of the terms and provisions of this lease and of the conditions and restrictions therein contained, that the same are in conformity with section 471, General Code, under the authority of which this lease is executed, and with other sections of the General Code relating to leases of this kind.

I am accordingly approving this lease as to legality and form as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,
 JOHN W. BRICKER,
Attorney General.

219.

ROAD CONSTRUCTION—COUNTY COMMISSIONERS NOT REQUIRED TO HAVE COMPETITIVE BIDDING WHERE THEY PURCHASE MATERIALS—COUNTY SURVEYOR SELECTS MATERIALS ONLY WHERE WORK DONE BY FORCE ACCOUNT.

SYLLABUS:

1. *The county commissioners are authorized by section 7214, General Code, to purchase materials for road repairs and construction, and in making such purchases, they are not required to let the contract therefor by competitive bidding.*

2. *The county surveyor has nothing to do with the kind of such materials so determined to be purchased, except where the county commissioners have authorized the surveyor to make the purchases for work that is to be done by force account.*

COLUMBUS, OHIO, March 17, 1933.

HON. A. L. CHATFIELD, *Prosecuting Attorney, McArthur, Ohio.*

DEAR SIR:—I acknowledge receipt of your communication which reads as follows:

“The commissioners of this county have referred to me the following question:—‘What is their authority in the purchasing of materials for road repairs and constructions?’

The question arises thus:—Our county contains limestone deposits, samples of which have been favorably passed upon by the authorities of the state as adaptable to the servicing repairs of roads. The commissioners desire to encourage the opening and continued existence of a quarry for the production of said limestone. They feel that by doing so, the cost of material as compared with former years will be lessened, and afford the additional advantage of giving employment to some of the many in this county who are seriously in need of relief. However, we do not have the capital to buy and operate such a plant. They wish to