

ship trustees are not authorized to expend money from the general fund to pay a contractor who has built a partition fence pursuant to Section 5913, General Code, even though the taxpayer upon whose land the fence was built has failed to pay his taxes to the county treasurer for over a year, and the amount can not be otherwise collected by the contractor.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2515.

APPROVAL, LEASE TO LANDS OF GEORGE C. AND MARTHA DITTIKOFER IN FULTON COUNTY FOR GAME REFUGE PURPOSES.

COLUMBUS, OHIO, November 7, 1930.

HON. J. W. THOMPSON, *Conservation Commissioner, Columbus, Ohio.*

DEAR SIR:—You have submitted Lease No. 2082 wherein George C. and Martha F. Dittikofer grant 40¾ acres of land situated in Pike Township, Fulton County, to the State for state game refuge purposes for the term of five years. Said lease in my opinion is in proper legal form and I have accordingly endorsed my approval thereon. Said lease has been properly executed by the lessor but should be executed by you on behalf of the Conservation Council. I am returning said lease herewith.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2516.

APPROVAL, BONDS OF UPPER ARLINGTON VILLAGE SCHOOL DISTRICT, FRANKLIN COUNTY, OHIO—\$75,000.00.

COLUMBUS, OHIO, November 7, 1930.

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

2517.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND RONAN AND INGLESON, COLUMBUS, OHIO, FOR ARCHITECTURAL SERVICES IN CONNECTION WITH REMODELING MERRILL HALL AT KENT STATE COLLEGE, KENT, OHIO, AT AN EXPENDITURE OF \$4,800.00.

COLUMBUS, OHIO, November 7, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and opinion a contract between the State of Ohio, acting by and through the Department of Public Works,

for and on behalf of the Board of Trustees of Kent State College, Kent, Ohio, and Ronan and Ingleson, Columbus, Ohio, for architectural services in connection with remodeling Merrill Hall at said college, and providing for compensation to the architect in an amount equal to five and a half per cent (5½%) of the amount paid out by the State of Ohio under and on account of contracts entered into by the State for the construction of said improvement.

You have also submitted evidence showing that the Controlling Board has duly consented to and approved the expenditure of forty-eight hundred dollars (\$4800.00) for architectural services on this project. You have further submitted encumbrance estimate in the amount of forty-four hundred dollars (\$4400.00) and bearing the certificate of the Director of Finance, as required by Section 2288-2, General Code. A filed resolution of the board of trustees of Kent State College requests that the contract under consideration be entered into by yourself.

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

Respectfully,
 GILBERT BETTMAN,
Attorney General.

2518.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE SAMUEL A. ESSWEIN HEATING AND PLUMBING COMPANY, COLUMBUS, OHIO, FOR PLUMBING, HEATING AND VENTILATING IN THE NEW EAST AND WEST WING AT THE LONDON PRISON FARM, LONDON, OHIO, AT AN EXPENDITURE OF \$56,504.00—SURETY BOND EXECUTED BY THE COMMONWEALTH CASUALTY COMPANY.

COLUMBUS, OHIO, November 7, 1930.

HON. ALBERT T. CONNAR, *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 Samuel A. Esswein Heating and Plumbing Company, of Columbus, Ohio. This contract covers the construction and completion of contract for combined plumbing, heating and ventilating to be installed in a building known as the New East and West Wing at the London Prison Farm, London, Ohio, as set forth in Item No. 4, Item No. 6, Alternate P-1, Item No. 8, Alternate M-2 and Item No. 7, Alternate M-1 of the Form of Proposal dated October 3, 1930. Said contract calls for an expenditure of fifty-six thousand five hundred and four dollars (\$56,504.00).

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 of the Controlling Board to the expenditure has been obtained as required by law. In addition you have submitted a contract bond upon which the Commonwealth Casualty Company 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