

approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*

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451.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND McCURRAN BROS., XENIA, OHIO, FOR CONSTRUCTION OF TUNNELS, WILBERFORCE UNIVERSITY, WILBERFORCE, OHIO, AT AN EXPENDITURE OF \$12,037.00—SURETY BOND EXECUTED BY THE FIDELITY & DEPOSIT COMPANY OF MARYLAND.

COLUMBUS, OHIO, May 28, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Superintendent of Public Works, for and on behalf of the Board of Trustees, C. N. & I. Department, Wilberforce University, and McCurran Bros., Xenia, Ohio. This contract covers the construction and completion of general contract for tunnels, C. N. & I. Department, Wilberforce University, Wilberforce, Ohio, and calls for an expenditure of twelve thousand and thirty-seven dollars (\$12,037.00).

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. There has further been submitted a contract bond upon which the Fidelity and Deposit Company of Maryland 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 Act have been complied with.

In this connection, it will be noted that the award was made prior to January 1, 1929, and that the original appropriation lapsed before such contract was approved by the Attorney General. However, it will be further noted that the 88th General Assembly, in Amended House Bill 203, reappropriated such funds and authorized the expenditure of money for such purposes with the consent and approval of the Controlling Board, which has been obtained.

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,  
GILBERT BETTMAN,  
*Attorney General.*