

1939. This is a sufficient compliance with the provisions of Section 2288-2, General Code. This lease is accordingly approved by me and the same is herewith returned to you.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

915.

CONTRACT—STATE WITH THE BALTIMORE AND OHIO RAILROAD COMPANY, SEPARATION OF GRADES OVER TRACKS, STATE HIGHWAY No. 220, ABOUT ONE MILE EAST OF NORTH BALTIMORE, WOOD COUNTY.

COLUMBUS, OHIO, July 21, 1939.

HON. ROBERT S. BEIGHTLER, *Director of Highways, Columbus, Ohio.*

DEAR SIR: You have submitted for my consideration a form of agreement by and between yourself, as Director of Highways, and The Baltimore and Ohio Railroad Company, covering the separation of grades over the tracks of the said railroad company on State Highway No. 220, about one mile east of North Baltimore, Wood County, Ohio.

After an examination, it is my opinion that the said proposed agreement is in proper legal form and when properly executed by the Director of Highways, will constitute a binding contract.

Said instrument is being returned herewith.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

916.

BONDS—CITY OF SHAKER HEIGHTS, CUYAHOGA COUNTY,
\$15,000.00.

COLUMBUS, OHIO, July 21, 1939.

The Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN:

RE: Bonds of the City of Shaker Heights, Cuyahoga County, Ohio, \$15,000.

The above purchase of bonds appears to be part of one or two issues of refunding bonds in the amounts of \$300,000, series J, and \$578,852.50,

series K, of the above city, dated July 1, 1939. The transcript relative to these issues was approved by this office in an opinion rendered to the Public Employes Retirement Board under date of July 14, 1939, being Opinion No. 886.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

917.

CLAIM—LIQUIDATION BY REFEREE IN BANKRUPTCY IN OHIO—CONSTITUTES JUDGMENT OF COURT OF RECORD—SECTION 6298-1, G. C.

SYLLABUS:

The liquidation of a claim by a referee in bankruptcy in this state constitutes a judgment of a court of record within this state within the purview of Section 6298-1, of the General Code of Ohio.

COLUMBUS, OHIO, July 22, 1939.

Bureau of Motor Vehicles, Fourth and Main Streets, Columbus, Ohio.

GENTLEMEN: Your request for my opinion reads as follows:

“Section 6298-1 of the General Code provides that the Registrar under certain specified conditions shall revoke the right and privilege of ‘operating a motor vehicle,’ etc. where there is an unsatisfied judgment in a court of record in this state of the nature therein specified, resulting from a motor vehicle collision. Assuming that a suit is pending in a court of record for damages which, if concluded, would result in a judgment within the purview of said section, but before judgment is rendered the defendant files a petition in bankruptcy and on an application to liquidate tort claims, the referee in bankruptcy liquidates the claim pending in the court of record. Our question is, ‘Is such a liquidation by the referee a judgment within the purview of section 6298-1 of the General Code or tantamount thereto as to authorize the Registrar to revoke on a report on same from the Federal Court?’”

Section 6298-1 of the General Code provides:

“The registrar of motor vehicles of the state of Ohio is