

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 Aetna Casualty & Surety 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 waived by the board of control, informal bids were taken and 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,
C. C. CRABBE,
Attorney-General.

803.

APPROVAL, FIVE CONTRACTS BETWEEN STATE OF OHIO AND CLAGUE & STROHL, COMPLETION OF CONDUIT AT COST OF \$2,900.00, COMPLETION OF TUNNEL AT COST OF \$12,815.00, COMPLETION OF TUNNEL AT COST OF \$5,350.00, COMPLETION OF CONDUIT AT COST OF \$665.00, COMPLETION OF SEWER AT COST OF \$2,265.00, BOWLING GREEN STATE NORMAL COLLEGE, BOWLING GREEN, OHIO—SURETY BOND EXECUTED BY NEW AMSTERDAM CASUALTY COMPANY.

COLUMBUS, OHIO, October 10, 1923.

HON. L. A. BOULAY, *Director, Department of Highways and Public Works, Columbus, O.*

DEAR SIR:—You have submitted for my approval five contracts between the State of Ohio acting by the Department of Highways and Public Works and Clague & Strohl, a partnership consisting of H. T. Clague and R. M. Strohl of Bowling Green, Ohio. One of said contracts covers the construction and completion of conduit contract for extension tunnel and sewer to dormitory at the Bowling Green State Normal College and calls for an expenditure of \$2,900.00; another covers the construction and completion of the tunnel for extension tunnel and sewer to Dormitory and calls for an expenditure of \$12,815.00; another covers the construction and completion of tunnel for extension tunnel and piping to recitation and library building and calls for an expenditure of \$5,350.00; another covers the construction and completion of conduit for extension tunnel and piping to recitation and library building and calls for an expenditure of \$665.00; and another covers the construction and completion of sewer for extension tunnel and sewer to Dormitory and calls for an expenditure of \$2,265.00.

You have submitted the certificates 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 New Amsterdam Casualty Company appears as surety, sufficient to cover the amount of the contracts. However, it is noted in this connection that the contractors have not signed the bond. Before closing this matter you should obtain their signatures upon the bond.

You have further submitted evidence indicating that plans were properly pre-

pared and approved, notice to bidders was waived by the board of control, informal bids were taken and tabulated as required by law and the contracts 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 contracts 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,
C. C. CRABBE,
Attorney-General.

804.

ABSTRACT, STATUS OF TITLE. PARTS OF INLOTS NOS. 76 AND 171 IN CITY OF ATHENS. OHIO.

COLUMBUS, OHIO, October 11, 1923.

The President and Trustees of the Ohio University, Athens, Ohio.

GENTLEMEN:—An examination of an abstract of title submitted by Hon. E. B. Bryan, President of Ohio University, to this office for examination and opinion, discloses the following:

The abstract under consideration was prepared and certified by L. G. Worstell, Abstracter, under date of September 10, 1923, and pertains to the following property:

Parts of Inlots Nos. 76 and 171 in the City of Athens, Ohio, to wit:
Beginning at the northwest corner of Inlot No. 76; thence east on the north line thereof 72 feet; thence south 168 feet to the south line of said Inlot No. 171; thence north 42½ degrees west 57 feet; thence north 14 degrees west 132 feet to the place of beginning.

Upon a careful examination of said abstract, I am of the opinion same shows a good and merchantable title to said premises in The Beta Kappa House Company, a corporation under the laws of the State of Ohio, and that said title is clear, free and unincumbered, except the lien for taxes for the year 1923 and the lien of a mortgage for \$4,000, dated January 22, 1921, executed by The Beta Kappa House Company to The McArthur Savings and Loan Company.

An examination has also been made of the deed submitted, executed by the Trustees of The Beta Kappa House Company, and it is believed same is sufficient to convey the interests of said The Beta Kappa House Company to the State of Ohio when properly delivered. In this connection, however, attention is directed to the unpaid mortgage originally for the sum of \$4,000 to The McArthur Savings and Loan Company, which ought first to be satisfied and canceled of record before the consideration for the property is paid over.

Attention is also directed to the necessity of the proper certificate of the Director of Finance of the State of Ohio to the effect that there are unincumbered balances legally appropriated sufficient to cover the purchase price before the purchase can be consummated.

The abstract and deed submitted is herewith returned.

Respectfully,
C. C. CRABBE,
Attorney-General.