

2788.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE WILSON FLOORS COMPANY OF COLUMBUS, OHIO, FOR REPAIRING AND REPLACING OLD FLOORS IN SCIENCE HALL AT KENT STATE COLLEGE, KENT, OHIO, AT AN EXPENDITURE OF \$6,509.34—SURETY BOND EXECUTED BY THE ROYAL INDEMNITY COMPANY OF NEW YORK.

COLUMBUS, OHIO, December 31, 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 Board of Trustees, Kent State College, Kent, Ohio, and the Wilson Floors Company, of Columbus, Ohio. This contract covers the construction and completion of contract for repairing and replacing old floors in Science Hall at the Kent State College, Kent, Ohio, as set forth in Items Nos. 3, 4, 5, 7, 8, 9, 10, 11, 12, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28, 31, 32, 33, 34, 35 and 37, using 16,386 square feet of mastic fill in lieu of cement mortar, in accordance with the form of proposal dated December 29, 1930. Said contract calls for an expenditure of six thousand five hundred and nine and 34/100 dollars (\$6,509.34).

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 shown that the Controlling Board has consented to the expenditure in accordance with Section 11 of House Bill 510 of the 88th General Assembly. In addition, you have submitted a contract bond, upon which the Royal Indemnity Company of New York 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 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,
GILBERT BETTMAN,
Attorney General.

2789.

MEMBER OF COUNCIL—SURETY BOND FURNISHED TO MUNICIPALITY BY INSURANCE AGENCY OF WHICH COUNCIL MEMBER IS SALARIED PRESIDENT—DEEMED TO HAVE "INTEREST" WITHIN MEANING OF SECTION 3808, GENERAL CODE.

SYLLABUS:

A member of council of a municipality, who is a salaried president of an insurance agency company, has, within the meaning of Section 3808, General Code, an "in-