

2850.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND ALPHONS CUSTODIS CHIMNEY CONSTRUCTION COMPANY, CHICAGO, ILLINOIS, FOR CONSTRUCTION OF NEW STACK FOR POWER HOUSE, KENT STATE NORMAL SCHOOL, KENT, OHIO, AT AN EXPENDITURE OF \$8,170.00—SURETY BOND EXECUTED BY THE UNITED STATES GUARANTEE COMPANY.

COLUMBUS, OHIO, November 9, 1928.

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 Department of Public Works, for the Board of Trustees, Kent State Normal School, and Alphons Custodis Chimney Construction Company, of Chicago, Illinois. This contract covers the construction and completion of Contract for New Stack and Breaching,—Remodeling Poor House and New Stack,—Kent State Normal School, Kent, Ohio, and calls for an expenditure of eight thousand one hundred and seventy dollars (\$8,170.00).

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 and approval of the Controlling Board to the expenditure have been obtained as required by Section 12 of House Bill No. 502 of the 87th General Assembly. In addition you have submitted a contract bond, upon which the United States Guarantee 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 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,

EDWARD C. TURNER,  
*Attorney General.*

2851.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND VAN DORN IRON WORKS COMPANY, CLEVELAND, OHIO, FOR CONSTRUCTION OF METAL BOOK STACKS FOR KENT STATE NORMAL SCHOOL, KENT, OHIO, AT AN EXPENDITURE OF \$16,440.00—SURETY BOND EXECUTED BY THE AETNA CASUALTY AND SURETY COMPANY.

COLUMBUS, OHIO, November 9, 1928.

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 Department of Public Works, for the Board of Trustees, Kent State Normal School, and The Van Dorn Iron Works Company, of Cleveland, Ohio.

This contract covers the construction and completion of Contract for Metal Book Stacks, New Library Equipment, Kent State Normal School, Kent, Ohio, and calls for an expenditure of sixteen thousand four hundred and forty dollars (\$16,440.00).

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 and approval of the Controlling Board to the expenditure have been obtained as required by Section 12 of House Bill No. 502 of the 87th General Assembly. In addition you have submitted a contract bond, upon which The Aetna Casualty and 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 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,  
EDWARD C. TURNER,  
*Attorney General.*

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2852.

APPROVAL, BONDS OF THE VILLAGE OF PORT CLINTON, OTTAWA COUNTY—\$54,000.00.

COLUMBUS, OHIO, November 9, 1928.

*Industrial Commission of Ohio, Columbus, Ohio.*

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2853.

EXECUTION—SUSPENSION OF SENTENCE IN FELONY CASES—FILING OF PETITION IN ERROR IN SUPREME COURT AS OF RIGHT—AUTOMATICALLY SUSPENDS SENTENCE.

**SYLLABUS:**

*Where, under the provisions of Section 2, Article IV of the Constitution of Ohio, a person convicted of murder in the first degree and under sentence to death, files as of right a petition in error in the Supreme Court of Ohio in a case involving a question arising under the Constitution of the United States or of the State of Ohio, by the express terms of Section 13757, General Code, the execution of such sentence to death is suspended upon the filing of such petition in error.*