

Specifically answering your question, it is therefore my opinion that after the board of deputy state supervisors of elections has made the preliminary investigation contemplated by the statute above mentioned "it shall make a notation opposite such signature or signatures and to that effect notify the person or persons who solicited such signatures, or other person or persons interested in the circulation of the part of the petition containing such signatures, of the insufficiency of the same" and that the board of deputy state supervisors of elections of said county shall then "proceed to establish the insufficiency of such signatures *in an action before the court of common pleas of such county*" which action must be brought within three days after the notice above mentioned has been served.

It is also my opinion that the board of deputy state supervisors of elections is without authority to proceed to establish the insufficiency of such signatures without bringing the action therefor in the common pleas court of such county, as provided in said Section 5175-29i, General Code.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

695.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE SAMUEL A. ESSWEIN HEATING & PLUMBING COMPANY, COLUMBUS, OHIO, TO CONSTRUCT PLUMBING, HEATING AND VENTILATING IN AUDITORIUM BUILDING, OHIO UNIVERSITY, ATHENS, OHIO, AT AN EXPENDITURE OF \$26,679.00.

COLUMBUS, OHIO, July 6, 1927.

HON. GEORGE F. SCHLESINGER, *Director, Department of Highways & Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Highways and Public Works, for and on behalf of the Board of Trustees of Ohio University, Athens, Ohio, and the Samuel A. Esswein Heating and Plumbing Company, Columbus, Ohio. This contract covers the construction and completion of the Plumbing, Heating and Ventilating of the Auditorium Building on the campus of Ohio University, and calls for an expenditure of twenty-six thousand six hundred and seventy-nine dollars (\$26,679.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated sufficient to cover the obligations of the contract. You have also submitted a personal contract bond in a sum sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans and specifications 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 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.*