

ment of Public Welfare, and The Robert H. Evans and Company, of Columbus, Ohio. This contract covers the construction and completion of General Contract for Work Shop, Institution for Feeble-Minded, Apple Creek, Ohio, and Alternates G-1 and G-8-C, as set forth in Form of Proposal dated March 25, 1930. Said contract calls for an expenditure of nine thousand, six hundred and fifty dollars (\$9,650.00).

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 submitted evidence that the Controlling Board has properly consented to and approved the expenditure of the moneys appropriated by the 88th General Assembly, for the purpose covered by this contract, in accordance with Section 4 of House Bill No. 203 of the 88th General Assembly. In addition, you have submitted a contract bond upon which the American Surety 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 Act 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 to you herewith, together with all data submitted in this connection.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*

1808.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND ROBERT H. EVANS AND COMPANY, COLUMBUS, OHIO, FOR CONSTRUCTION OF POWER HOUSE AND CHIMNEY, INSTITUTION FOR FEEBLE-MINDED, APPLE CREEK, OHIO, AT AN EXPENDITURE OF \$56,060.00—SURETY BOND EXECUTED BY THE AMERICAN SURETY COMPANY OF NEW YORK.

COLUMBUS, OHIO, April 23, 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 and on behalf of the Department of Public Welfare, and The Robert H. Evans and Company, of Columbus, Ohio. This contract covers the construction and completion of General Contract for Power House and Chimney, Institution for Feeble-Minded, Apple Creek, Ohio, and Alternates G-1, G-6, and G-8-C, as set forth in Form of Proposal dated March 25, 1930. Said contract calls for an expenditure of fifty-six thousand and sixty dollars (\$56,060.00).

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 submitted evidence that the Controlling Board has properly consented to and approved the expenditure of the moneys appropriated by the 88th General Assembly for the purpose covered by this contract, in accordance with Section 4 of House Bill No. 203 of the 88th General Assembly. In addition, you have submitted a contract bond upon which the American Surety

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 Act 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 to you herewith, together with all other data submitted in this connection.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*

1809.

INSANE WAR VETERAN—COMMITTED TO STATE HOSPITAL—GUARDIAN'S RIGHT TO PAY SUCH VETERAN'S BILLS DISCUSSED—REFUND BY COUNTY FOR ILLEGAL PAYMENTS MADE BY SAID GUARDIAN.

*SYLLABUS:*

1. *By reason of the provisions of Section 22 of the World War Veterans' Act (Section 454 U. S. Code Ann.), where a guardian has been appointed for an insane ward who has been committed to a state hospital for the insane, the compensation, insurance or maintenance and support paid to the guardian of such ward may not be expended by said guardian for the purpose of paying the cost of clothing or support, furnished to said ward prior to his appointment and receipt of such compensation.*

2. *Under such circumstances, where such patient is maintained in a state hospital the guardian may properly pay such bills as he incurs for such support subsequent to his appointment and receipt of funds, subject to the approval of the court.*

3. *In the event the guardian has improperly paid the county for such support furnished prior to his receipt of said funds, the County Commissioners may properly authorize the refunding of said amounts to said guardian, under the provisions of Sections 2460 and 2572 of the General Code.*

COLUMBUS, OHIO, April 24, 1930.

*Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.*

GENTLEMEN:—Acknowledgment is made of your communication requesting my opinion upon the following:

"The Probate Court of Franklin County has appointed a guardian for an insane soldier, who was committed to the Columbus State Hospital. The guardian was appointed July 18, 1920, and at that time the soldier was committed to the State Hospital. During the years 1920, 1921, 1922, 1923, 1924 and 1925, the State Hospital, in accordance with the provisions of Sections 1815 and 1816, General Code, furnished such soldier with clothes and incidentals and as the same were not paid for by the guardian the amount expended by the state for clothing was certified to the Auditor of Franklin County in accordance with the provisions of Section 1816, General Code, and the county paid the same to the state. When the attention of the guardian