

2694.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND FRANK GRILLS, TOLEDO, OHIO, FOR CONSTRUCTION OF DAIRY BARN, TOLEDO STATE HOSPITAL, TOLEDO, OHIO, AT AN EXPENDITURE OF \$17,493.00—SURETY BOND EXECUTED BY METROPOLITAN CASUALTY INSURANCE COMPANY.

COLUMBUS, OHIO, October 11, 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 Department of Public Welfare, and Frank Grills, of Toledo, Ohio. This contract covers the construction and completion of General Contract (exclusive of Plumbing and Sewers), for Dairy Barn for Toledo State Hospital, Toledo, Ohio, and calls for an expenditure of Seventeen thousand four hundred and ninety-three dollars (\$17,493.00).

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 has 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 Metropolitan Casualty Insurance 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.

2695.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE ELECTRIC POWER EQUIPMENT COMPANY, COLUMBUS, OHIO, FOR ELECTRIC WORK FOR DAIRY BARN FOR TOLEDO STATE HOSPITAL, TOLEDO, OHIO, AT AN EXPENDITURE OF \$445.00—SURETY BOND EXECUTED BY THE GLOBE INDEMNITY COMPANY.

COLUMBUS, OHIO, October 11, 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 Department of Public Welfare, and The Electric Power Equipment Co., of Columbus, Ohio. This contract covers the construction and completion of Electric work for Dairy Barn for Toledo State Hospital, Toledo, Ohio, and calls for an expenditure of Four hundred and forty-five dollars (\$445.00).

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 has 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 Globe Indemnity 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.

2696.

VACANCY—CONGRESSIONAL NOMINEE—MAY BE FILLED BY DISTRICT COMMITTEE—NAME OF CANDIDATE TO BE PLACED ON BALLOT BY PRINTING OR PASTING.

SYLLABUS:

1. *In the case of a vacancy in a congressional nomination the congressional district committee, which, by the terms of Section 4960, General Code, is composed of the chairmen of the county central committees of the several counties composing such congressional district, may lawfully fill the vacancy in the manner provided in Section 5011, General Code.*
2. *In case such vacancy is thus properly filled, it is the duty of the board of deputy state supervisors of elections to place the name of such nominee upon the ballots by printing new ballots, printing the name of the candidate in the space provided therefor on ballots already printed, or by inserting his name by the use of adhesive slips or pasters.*

COLUMBUS, OHIO, October 11, 1928.

HON. CLARENCE J. BROWN, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—This will acknowledge receipt of your recent communication requesting my opinion as follows:

“The Board of Deputy State Supervisors of Elections of Athens County have submitted a request for an opinion as to whether the vacancy caused by the withdrawal of a candidate for Congress may be filled now, and what would be the proper procedure.

We enclose their letter, together with the certificate which they have referred to us for consideration.

If the nominee presented in the certificate is to be recognized as a candidate, can stickers be used in placing his name upon the ballots? You understand the ballots in the tenth district have been printed and the space allotted to the candidate for Congress on the Democratic ticket is left blank.”