

2170.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE FRITZ-RUMER-COOKE COMPANY, COLUMBUS, OHIO, FOR THE CONSTRUCTION OF COAL BUNKER AT POWER HOUSE, OHIO STATE UNIVERSITY, COLUMBUS, OHIO, AT AN EXPENDITURE OF \$10,550.00—SURETY BOND EXECUTED BY THE INDEMNITY INSURANCE COMPANY OF NORTH AMERICA.

COLUMBUS, OHIO, May 28, 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 of the Ohio State University, and The Fritz-Rumer-Cooke Company, of Columbus, Ohio. This contract covers the construction and completion of Coal Bunker at Power House, Ohio State University, Columbus, Ohio, and calls for an expenditure of ten thousand five hundred and fifty dollars (\$10,550.00).

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 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 Indemnity Insurance Company of North America 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.

2171.

ELECTION—QUESTION OF ORGANIZING A MUNICIPALITY AT A SPECIAL ELECTION—HOW CONDUCTED.

SYLLABUS:

1. *Where a petition is properly presented for submitting to the voters the question of organizing a municipality under a specific plan of government as provided in Section 3515-1, General Code, council may provide for submitting such question at a special election to be held on the same day the regular August primary is held.*

2. *Said question so submitted shall be printed on a separate ballot, deposited in a separate ballot box, and said election shall be presided over by the regular judges and clerks of election, under the provisions of Section 5020, General Code.*

COLUMBUS, OHIO, May 28, 1928.

HON. JAMES COLLIER, *Prosecuting Attorney, Ironton, Ohio.*

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