

The provisions of Section 13755, General Code, above quoted, should be read in connection with those of Section 13728, General Code, which provides that in the execution of a death sentence the warden of the Ohio Penitentiary, or in case of his death, inability or absence, a deputy warden shall be the executioner.

In this case, therefore, if the Supreme Court should affirm the judgment of the Court of Appeals in the case now before the Supreme Court upon the petition in error above referred to, it will be the duty of the latter court to fix and appoint a later date for the execution of said sentence by the Warden of the Penitentiary.

Respectfully,

EDWARD C. TURNER,  
*Attorney General.*

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2854.

APPROVAL, BONDS OF WAYNE COUNTY, OHIO—\$124,000.00.

COLUMBUS, OHIO, November 9, 1928.

*Industrial Commission of Ohio, Columbus, Ohio.*

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2855.

APPROVAL, BONDS OF THE CITY OF MARIETTA, WASHINGTON COUNTY  
—\$3,500.00.

COLUMBUS, OHIO, November 9, 1928.

*Industrial Commission of Ohio, Columbus, Ohio.*

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2856.

CONTRACT—HIGHWAY DEPARTMENT MAY RECOGNIZE ASSIGNMENTS  
OF MONEYS DUE FROM THE STATE AND ISSUE VOUCHER TO  
ASSIGNEE.

**SYLLABUS:**

*The Director of Highways may recognize a valid assignment of amounts due from the state upon a contract executed by him and issue a voucher upon the Auditor of State in favor of the assignee of such amount.*