

By way of specific answer to the question submitted in your communication I am of the opinion that the Board of Trustees of the Ohio State University has no power to enter into any contract for the sale and delivery of electricity to the Battelle Memorial Institute.

Respectfully,
EDWARD C. TURNER,
Attorney General.

2917.

APPROVAL, AGREEMENT BETWEEN HIGHWAY DEPARTMENT AND COUNTY COMMISSIONERS OF ATHENS COUNTY FOR RECONSTRUCTION OF A BRIDGE OVER HOCKING RIVER, ATHENS COUNTY.

COLUMBUS, OHIO, November 22, 1928.

HON. HARRY J. KIRK, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—Acknowledgment is made of your communication submitting a proposed agreement between your department and the commissioners of Athens County relative to the reconstruction of a bridge situated partly within the City of Athens over which said Highway No. 159 crosses the Hocking River.

I have carefully examined said contract and finding the same to be in proper legal form, I hereby approve the same and return it herewith.

Respectfully,
EDWARD C. TURNER,
Attorney General.

2918.

OFFICES—VACANCY—COUNTY COMMISSIONER—NO ELECTION FOR UNEXPIRED TERM—APPOINTEE HOLDS OVER FOR UNEXPIRED TERM OF DECEASED PREDECESSOR.

SYLLABUS:

Under the provisions of Section 2397, General Code, where a county commissioner was duly appointed to fill a vacancy which occurred more than thirty days before a regular election and at said regular election no one was elected for the remainder of the unexpired term of his predecessor in office, said appointee is entitled to hold his said office during the remainder of the unexpired term.

COLUMBUS, OHIO, November 22, 1928.

HON. ALBERT T. STROUP, *Prosecuting Attorney, Van Wert, Ohio.*

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