

1269.

APPROVAL, BONDS OF CLEVELAND HEIGHTS CITY SCHOOL DISTRICT, CUYAHOGA COUNTY—\$27,000.00.

COLUMBUS, OHIO, November 2, 1927.

*Industrial Commission of Ohio, Columbus, Ohio.*

1270.

DEPUTY STATE SUPERVISOR OF ELECTIONS—WHERE MEMBER IS DECEASED, HIS SUCCESSOR IS ENTITLED TO COMPENSATION FOR CONDUCTING PRIMARY ELECTION IF NO SERVICES HAVE BEEN PERFORMED BY SAID DECEASED MEMBER IN REGARD TO SAID ELECTION.

**SYLLABUS:**

*Under the provisions of Section 4990, General Code, the compensation to a member of the board of deputy state supervisors of elections for conducting primary elections is fixed at two dollars per each election precinct in his county, and where a member deceases before having performed any services relative to said primary, his successor in office is entitled to said amount named in the statute for conducting the primary election.*

COLUMBUS, OHIO, November 18, 1927.

HON. LEROY W. HUNT, *Prosecuting Attorney, Toledo, Ohio.*

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

“We desire the opinion of your department in construing Section 4990, General Code.

Peter M. Ragan was a deputy state supervisor of elections of Lucas County during the year 1927 until the date of his death, May 22nd, 1927. He was succeeded in office by J. A. Lehnerts who qualified on May 31st, 1927. During the period of incumbency of Mr. Ragan no action was taken by the board, as disclosed by their records, with reference to the August primary of this year, and we assume that Mr. Ragan as a member of said board rendered no service with reference to said primary election.

Under these conditions and following the opinion of your department as rendered by you August 5th, 1915, and found in the Opinions of the Attorney General for the year 1915, at page 1430, I have concluded that the entire fee to be paid to members of the board, as provided by Section 4990, would be payable to Mr. Lehnerts, and none of said fee provided, to be paid to the estate of Peter M. Ragan.