

1028.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE WESTINGHOUSE ELECTRIC & MFG. COMPANY, OF COLUMBUS, OHIO, FOR FURNISHING AND DELIVERY OF ONE (1) DUAL DRIVE EXCITER FOR POWER HOUSE AT OHIO STATE UNIVERSITY AT COST OF \$2,930.00.

COLUMBUS, OHIO, December 22, 1923.

HON. L. A. BOULAY, *Director, Department of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval contract between the State of Ohio, acting by the Department of Highways and Public Works in behalf of the Board of Trustees of Ohio State University and Westinghouse Electric & Mfg. Co., of Columbus, Ohio. This contract covers the furnishing and delivery of one (1) dual drive exciter for power house at Ohio State University and calls for an expenditure of \$2,930.00.

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. Evidence has also been submitted indicating that said company has complied with the provisions of the Industrial Compensation Act.

Finding said contract 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,

C. C. CRABBE,
Attorney-General.

1029.

CRABBE ACT VIOLATIONS—NO PART OF FINE ASSESSED CAN BE REMITTED OR SUSPENDED—JURISDICTION OF JUSTICE OF PEACE, MAYOR AND COMMON PLEAS COURTS—WHEN COURT ACCEPTS SECURITY FOR FINE DEFENDANT CANNOT THEREAFTER BE CONFINED FOR NON-PAYMENT OF SUCH FINE.

SYLLABUS:—

1. *No part of a fine assessed for violation of the Crabbe Act can be remitted or suspended, and the amendment of section 6212-17 (110 O. L. 49) takes such cases out of the operation of the probation laws (sections 13706 to 13715, G. C., inclusive.)*

2. *If defendant has been found guilty and is sentenced and has entered upon the execution of such sentence, a justice of the peace or mayor loses jurisdiction and cannot thereafter open the case. Common pleas, and other courts having terms, may open cases in their respective courts for further action during the term in which such case was heard or tried.*

3. *When a court accepts security for a fine, the defendant cannot thereafter be confined for non-payment of such fine.*

COLUMBUS, OHIO, December 22, 1923.

HON. GEORGE D. NYE, *Prosecuting Attorney, Waverly, Ohio.*

DEAR SIR:—This will acknowledge receipt of your letter of December 13th, in which you make the following inquiries: