

for the purpose of attending catechism, if in the exercise of their discretion such board deems same a good and sufficient reason.

Respectfully,
C. C. CRABBE,
Attorney General.

2948.

COUNTY COMMISSIONERS—MAY NOT LEGALLY PAY CLAIM FOR FUNERAL EXPENSES OF A DECEDENT WHO HAS DIED FROM HYDROPHOBIA—SECTION 5851 G. C. CONSTRUED.

SYLLABUS:

County commissioners may not lawfully approve and pay a claim for funeral expenses presented by the administrator of a decedent who has died from hydrophobia, resulting from having been bitten by a dog afflicted with rabies.

COLUMBUS, OHIO, November 20, 1925.

HON. STANLEY E. MOTE, *Prosecuting Attorney, Greenville, Ohio.*

DEAR SIR:—This will acknowledge receipt of your recent communication, in which you submit the following question:

“Can the county commissioners lawfully order the payment of funeral expenses to the administrator of one who has died from hydrophobia resulting from having been bitten by a dog afflicted with rabies, under the provisions of sections 5851 and 5852, General Code?”

Section 5851, General Code, reads as follows:

“A person bitten or injured by a dog, cat or other animal afflicted with rabies, if such injury has caused him to employ medical or surgical treatment or required the expenditure of money, within four months after such injury and at a regular meeting of the county commissioners of the county where such injury was received, may present an itemized account of the expenses incurred and amount paid by him for medical and surgical attendance, verified by his own affidavit or that of his attending physician; or the administrator or executor of a deceased person may present such claim and make such affidavit. If the person so bitten or injured is a minor such affidavit may be made by his parent or guardian.”

Section 5852 of the General Code reads as follows:

“The county commissioners not later than the third regular meeting, after it is so presented, shall examine such account, and, if found in whole or part correct and just, may order the payment thereof in whole or in part, out of the general fund of the county; but a person shall not receive for one injury a sum exceeding five hundred dollars.”

It will be noted, from a reading of the first quoted section, that a person who has been bitten or injured by a dog, cat or other animal afflicted with rabies, may

present an itemized account, of the expenses incurred and amount paid by him for medical and surgical attendance, if such injury has caused him to employ medical or surgical treatment and required the expenditure of money in connection therewith. It is also provided that the administrator or executor of a deceased person may present *such* claim. Under this section, the only claim which may be presented is a claim for medical or surgical treatment occasioned by being bitten or injured by a dog, cat or other animal afflicted with rabies.

Nowhere in the section is it provided that a claim for funeral expenses may be presented and allowed.

It would follow, and you are therefore advised, that county commissioners are without authority to allow and pay a claim presented by an administrator covering the funeral expenses of his deceased, who died resultant of being bitten by a dog afflicted with rabies.

Respectfully,
C. C. CRABBE,
Attorney General.

2949.

SECURITIES ACT—SEPARATE BOND MUST BE FURNISHED FOR EACH INDIVIDUAL AGENT LICENSED UNDER SECTION 6373-3, GENERAL CODE.

SYLLABUS:

Section 6373-3 of the General Code does not authorize the Commissioner of Securities to accept a blanket bond for a definite number of agents of dealers in securities. A separate bond must be furnished for each individual agent.

COLUMBUS, OHIO, November 20, 1925.

HON. CYRUS LOCHER, *Director of Commerce, Columbus, Ohio.*

DEAR SIR:—I acknowledge receipt of your letter of November 5, 1925, as follows:

“The so-called securities act provides that all dealers dealing in securities must furnish to the state a bond of not less than \$10,000, and a bond for each agent not to exceed \$2,500. There are approximately only one-half as many dealers’ licenses out at the present time as there were in February, 1923, and approximately one-tenth as many agents’ licenses as there were out at that time.

“Requests have frequently been made by several holding dealers’ licenses to furnish a blanket bond for a definite number of agents. The dealers say that these bonds cost 1½% for each agent and it frequently happens that they will engage an agent, furnish a bond for him, and at the end of a few months, either because they discharge him or he voluntarily resigns, they ask to have the particular agent’s license and bond canceled, and when they engage a new agent they have to furnish a new bond and pay a new premium.

“Please furnish us with an opinion whether a dealer may furnish a blanket bond covering a definite number of agents and substitute agents during the year under said bond. If in your opinion this can be done legally