

505.

APPROVAL, NOTES OF CHESHIRE RURAL SCHOOL DISTRICT, GALLIA COUNTY, OHIO—\$2,267.00.

COLUMBUS, OHIO, April 7, 1933.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*

506.

APPROVAL, NOTES OF BRUNSWICK TOWNSHIP RURAL SCHOOL DISTRICT, MEDINA COUNTY, OHIO—\$4,603.00.

COLUMBUS, OHIO, April 7, 1933.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*

507.

APPROVAL, BONDS FOR THE FAITHFUL PERFORMANCE OF THEIR DUTIES—CHARLES I. McNEAL, AS RESIDENT DISTRICT DEPUTY DIRECTOR IN CRAWFORD COUNTY—B. HOLCOMB FRASCH, AS RESIDENT DIVISION DEPUTY DIRECTOR.

COLUMBUS, OHIO, April 7, 1933.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted for my consideration two bonds, each in the sum of five thousand dollars, and conditioned for the faithful performance of the duties of the principal as Resident District Deputy Director in Crawford County and as Resident Division Deputy Director in Division No. 5, respectively, as follows:

<i>Name</i>	<i>District, Division</i>	<i>Surety</i>
Chas. I. McNeal	Crawford County	The Fidelity and Casualty Company of New York
B. Holcomb Frasch	No. 5	National Surety Company

It has been noted that you have approved the two bonds which you have submitted. The first of the aforementioned bonds is evidently executed pursuant to the provisions of sections 1183 and 1182-3, General Code, which provide, so far as pertinent, as follows:

“Sec. 1183. \* \* \* Such resident district deputy directors shall \* \* \* give bond in the sum of five thousand dollars. \* \* \*”

“Sec. 1182-3. \* \* \* All bonds hereinbefore provided for shall be conditioned upon the faithful discharge of the duties of their respective posi-

tions and such bonds \* \* \* shall be approved as to the sufficiency of the sureties by the director, and as to, legality and form by the attorney general, and be deposited with the secretary of state. \* \* \*

Said bond appears to have been properly executed in conformity with the above statutory provisions, with the exception that no financial statement of the Fidelity and Casualty Company of New York has been attached to the bond. This should be done before said bond is filed with the Secretary of State. Subject to this act being done, I hereby approve such bond as to form, and have endorsed my approval thereon.

The second of the aforementioned bonds is undoubtedly executed pursuant to the provisions of sections 1182 and 1182-3, General Code. Section 1182, General Code, provides so far as pertinent:

"Sec. 1182. \* \* \* Each of said resident division deputy directors \* \* \* shall serve during the pleasure of the director. Each division deputy director shall give bond in the sum of five thousand dollars, conditioned for the faithful performance of his duties with sureties to the approval of the state highway director. \* \* \*

The pertinent provisions of section 1182-3, General Code, are quoted above.

While the bond appears to have been executed in accordance with the above statutes, yet the words "for a term of two (2) years beginning January 26th, 1933, and ending January 26th, 1935," appearing in the eighth and ninth lines of the bond should be eliminated, as section 1182, General Code, supra, conclusively shows that a resident division deputy director serves only during the pleasure of the director and there is no definite term. I would suggest that these words be eliminated.

Subject to the elimination of these words, I hereby approve said bond as to form, and have endorsed by approval thereon. Both bonds are returned herewith.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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508.

APPROVAL, NOTES OF BEVERLY VILLAGE SCHOOL DISTRICT,  
WASHINGTON COUNTY, OHIO—\$8,378.00.

COLUMBUS, OHIO, April 7, 1933.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*