

3992.

APPROVAL, BONDS FOR THE FAITHFUL PERFORMANCE OF THEIR DUTIES—L. C. LAMB AS DISTRICT DEPUTY DIRECTOR, AND WALTER E. WILLARD AS DIVISION DEPUTY DIRECTOR; DISAPPROVAL, BONDS OF HOWARD P. MASON AS DISTRICT DEPUTY DIRECTOR, AND B. H. FRASCH AS DIVISION DEPUTY DIRECTOR.

COLUMBUS, OHIO, March 4, 1935.

HON. JOHN JASTER, JR., *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted four bonds, each in the penal sum of \$5,000, with sureties as indicated, to cover the faithful performance of the duties of the officials as herinafter listed:

L. C. Lamb, Resident District Deputy Director in Coshocton County—United States Fidelity and Guaranty Company.

Howard P. Mason, Resident District Deputy Director in Licking County—American Bonding Company of Baltimore.

B. H. Frasch, Resident Division Deputy Director in Division No. 5—American Bonding Company of Baltimore, Maryland.

Walter E. Willard, Resident Division Deputy Director in Division No. 8—The Ohio Casualty Insurance Company.

The first two bonds are undoubtedly executed pursuant to the provisions of sections 1183 and 1182-3, General Code, which state, in so far as pertinent:

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 positions, and such bonds * * * shall be approved as to the sufficiency of the sureties by the director (of highways), and as to legality and form by the attorney general, and be deposited with the secretary of state. * * *” (Words in parenthesis the writer’s.)

The two latter bonds are undoubtedly executed pursuant to the provisions of sections 1182 and 1182-3, General Code, above quoted. Section 1182, General Code, states in so far as pertinent:

“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. * * *”

Upon examination of the foregoing bonds, I find that the bonds of L. C. Lamb and Walter E. Willard appear to be in proper legal form under the foregoing statutory provisions, and same are hereby approved as to form.

However, I note that the bonds of B. H. Frasch and Howard P. Mason have not been approved by the State Highway Director, in accordance with the specific provi-

sion of section 1182, General Code, and the general provision of section 1182-3, General Code, *supra*. I am therefore not approving said bonds.

All of the above listed bonds are being returned herewith.

Respectfully,

JOHN W. BRICKER,
Attorney General.

3993.

APPROVAL, BONDS FOR FAITHFUL PERFORMANCE OF THEIR DUTIES—
DOROTHY HOGAN, ASST. CASHIER, AND FAY H. SPARGUR, CHIEF
CHAUFFEUR EXAMINER, BUREAU OF MOTOR VEHICLES; FRED L.
BIECHELE, RESIDENT DIVISION DEPUTY DIRECTOR, DEPT. OF HIGH-
WAYS.

COLUMBUS, OHIO, March 4, 1935.

HON. JOHN JASTER, JR., *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted three bonds, in the penal sums of \$25,000.00, \$10,000.00 and \$5,000.00 respectively, with sureties as indicated, to cover the faithful performance of the duties of the officials as hereinafter listed:

Dorothy Hogan, Assistant Cashier of the Bureau of Motor Vehicles—Glens Falls Indemnity Company, Glens Falls, New York.

Fay H. Spargur, Chief Chauffeur Examiner of the Bureau of Motor Vehicles—Glens Falls Indemnity Company, Glens Falls, New York.

Fred L. Biechele, Resident Division Deputy Director for Department of Highways in Division No. 11—Great American Indemnity Company.

The first two bonds are evidently executed pursuant to the provisions of section 6290-1, General Code, which provides, in so far as pertinent:

Sec. 6290-1. “* * * The Registrar (of the Bureau of Motor Vehicles) may, with the approval of the Director of Highways, appoint such number of assistants, deputies, clerks, stenographers and other employes as he may deem necessary to carry out the provisions of this act. * * * When in the opinion of the Director of Highways, it is deemed advisable, any deputy or other employe may be required to give bond in such amount and with such security as he may approve. * * *.”

Finding such bonds to be in proper legal form in accordance with the foregoing statutory provision, I hereby approve said bonds as to legality and form and return them to you herewith.

The third of the above mentioned bonds is evidently executed pursuant to the provisions of section 1182 and 1182-3, General Code. Such sections provide, in so far as pertinent:

Sec. 1182. “Each Division Deputy Director shall give bond in the sum of five thousand dollars, conditioned for the faithful performance of his duties