

311.

DISAPPROVAL, BOND FOR FAITHFUL PERFORMANCE OF DUTIES—
EDWARD STINGEL.

COLUMBUS, OHIO, April 12, 1927.

HON. GEORGE F. SCHLESINGER, *Director, Department of Highways and Public Works,*
Columbus, Ohio.

DEAR SIR:—Receipt is acknowledged of your letter of recent date transmitting the bond of Edward Stingel, Resident Deputy State Highway Commissioner.

It will be noted in line eight of the body of said bond that after the words "the said" the name of the Resident Deputy State Highway Commissioner has been omitted.

While I am of the opinion that a court in passing upon the validity of such a bond would look to the entire instrument and would hold that the bonding company would be liable in case of a default upon the part of the Resident Deputy State Highway Commissioner, I am returning the bond without my approval endorsed thereon so that the same may be corrected as suggested.

Respectfully,
EDWARD C. TURNER,
Attorney General.

312.

COUNTY BOARDS OF EDUCATION—TRANSFER OF PROPERTY UNDER
SECTION 4692, GENERAL CODE.

SYLLABUS:

When county boards of education acting under authority of Section 4692, General Code, have passed a resolution for the transfer of territory from one county school district to an adjoining district and have filed with the auditor a map which shows by its lines that the boundaries of the territory transferred include more territory than is included within the terms of the resolution, the territory shown on the map but not within the terms of the resolution, will not be affected by the action of the board.

COLUMBUS, OHIO, April 12, 1927.

HON. EUGENE S. OWEN, *Prosecuting Attorney, Delaware, Ohio.*

DEAR SIR:—This will acknowledge receipt of your recent communication which is as follows:

"In the year 1915, the County Board of Education undertook to set off a part of the Rural School District of Oxford Township, Delaware County, Ohio, to the Ashley Village School District.

A portion of the township of Oxford had previously been annexed to the Marlboro Township School District, and a portion of the said Oxford township, along the west side thereof, consisting of four farms, one of which now belongs to a Mr. Ufferman, was annexed to the Troy Township School District, and was a part of the Troy Township School District for many years. So you will see there was two portions of Oxford Township, cut out of the Oxford township.