

39.

APPROVAL, NOTES OF PULTNEY TOWNSHIP RURAL SCHOOL DISTRICT, BELMONT COUNTY, OHIO—\$5,500.00.

COLUMBUS, OHIO, January 19, 1933.

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

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40.

APPROVAL, NOTES OF STOKES TOWNSHIP RURAL SCHOOL DISTRICT, LOGAN COUNTY, OHIO—\$4,000.00.

COLUMBUS, OHIO, January 19, 1933.

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

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41.

APPROVAL, FIVE BONDS FOR THE FAITHFUL PERFORMANCE OF THEIR DUTIES AS RESIDENT DISTRICT DEPUTY DIRECTORS—BERT BEUCLER—ROY M. STACK—J. L. McCORMICK—C. W. METCALF—EARL C. FORD—JOHN JASTER, JR.—DISAPPROVAL—LYLE B. McBRIDE.

COLUMBUS, OHIO, January 19, 1933.

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

DEAR SIR:—You have submitted seven 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 hereinafter listed:

Lyle B. McBride, Resident District Deputy Director in Trumbull County—Massachusetts Bonding and Insurance Company.

Bert Beucler, Resident District Deputy Director in Fulton, Henry and Williams Counties—The Aetna Casualty and Surety Company.

Roy M. Stack, Resident District Deputy Director in Hancock County—United States Fidelity and Guaranty Company.

J. L. McCormick, Resident District Deputy Director in Portage County—Maryland Casualty Company.

C. W. Metcalf, Resident District Deputy Director in Meigs County—American Surety Company of New York.

Earl C. Ford, Resident District Deputy Director in Vinton County—American Surety Company of New York.

John Jaster, Jr., Resident Division Deputy Director in Division No. 12 (Cuyahoga County)—United States Fidelity and Guaranty Company.

The first six 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.)"

While the first listed bond of Lyle B. McBride, Resident District Deputy Director in Trumbull County, is in the penal sum of \$5,000, and has been approved by you in accordance with the above statutory provisions, I am unable to approve said bond at this time because the power of attorney attached to the bond does not purport to give G. C. Bolz power to execute a bond of this nature. I would advise that a power of attorney authorizing Mr. Bolz to sign a bond to guarantee the faithful performance of the duties of any official be obtained. When this is obtained and the bond returned to this office, same will be approved.

The remaining bonds, with the exception of the last listed bond, are executed properly in accordance with the above quoted statutory provisions. However, the bond of Bert Beucler should have added in the first line of the bond, beginning with the words "That we, Bert Beucler" the following words "and the Aetna Casualty and Surety Company." Moreover, the bonds of J. L. McCormick, C. W. Metcalf and Earl C. Ford do not have attached financial statements of the bonding companies. Subject to these omissions being corrected, I am approving these five bonds.

The last listed bond of John Jaster, Jr., is undoubtedly executed pursuant to pertinent provisions of section 1182, General Code, and the provisions of section 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. \* \* \*"

Said bond is properly executed in accordance with the above provisions of the Code, and I am hereby approving it as to form. All the bonds are being returned herewith.

Respectfully,  
JOHN W. BRICKER,  
*Attorney General.*

42.

COUNTY AGRICULTURAL SOCIETY—CANNOT BE DISSOLVED BY  
COUNTY COMMISSIONERS OR BY A VOTE OF PEOPLE.

SYLLABUS:

1. *A county agricultural society existing by virtue of sections 9880, et seq.,*