

3154.

APPROVAL, NOTES OF SEAMAN VILLAGE SCHOOL DISTRICT, ADAMS COUNTY, OHIO—\$2,226.00.

COLUMBUS, OHIO, August 31, 1934.

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

3155.

APPROVAL, NOTES OF SALEM TOWNSHIP RURAL SCHOOL DISTRICT, HIGHLAND COUNTY, OHIO—\$2,022.00.

COLUMBUS, OHIO, August 31, 1934.

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

3156.

JUSTICE OF PEACE—NO JURISDICTION TO FINE PERSON ACCUSED OF OPERATING MOTOR VEHICLE WITH DEALER'S LICENSE PLATES CONTRARY TO SECTION 12618-2, G. C., WHEN.

SYLLABUS:

If a person arrested for operating a motor vehicle with dealer's license plates in violation of section 12618-2 of the General Code is brought before a justice of the peace, and in writing waives a jury, such justice of the peace would have no jurisdiction to fine said person, whether a plea of guilty or not guilty was entered to the charge.

COLUMBUS, OHIO, September 1, 1934.

HON. LESTER S. REID, *Prosecuting Attorney, Chillicothe, Ohio.*

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

"I herewith desire an opinion on the following set of facts:

'A' was arrested for operating a motor vehicle with dealer's license plates in violation of 12618-2 of the General Code of Ohio. A jury waiver was signed by the accused before a justice of the peace and he entered a plea of guilty as charged.

The question I desire to have specifically answered is whether under such set of facts the justice of the peace had jurisdiction to fine said defendant? The reason for this question arises by virtue of the case of *Overholser vs. Wolf, Sheriff*, reported in Volume 26, O. N. P. (N. S.) at