

3839.

APPROVAL, BOND FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES  
AS FIRST ASSISTANT DIRECTOR OF HIGHWAYS—CARL G. WAHL.

COLUMBUS, OHIO, January 19, 1935.

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

DEAR SIR:—You have submitted a bond in the penal sum of \$10,000.00, with surety as indicated to cover the faithful performance of the duties of the official as herein-after listed:

Carl G. Wahl, First Assistant Director of Highways—The United States Fidelity and Guaranty Company.

The above bond is undoubtedly executed pursuant to the provisions of sections 1180-1 and 1182-3, General Code, which read, in so far as pertinent, as follows:

“Sec. 1180-1. The director (of highways) shall appoint a first assistant director who shall \* \* \* serve during the pleasure of the director \* \* \*. The first assistant director shall give bond in the sum of ten thousand dollars, conditioned for the faithful performance of his duties with sureties to the approval of the state highway director.”

“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, except the bond of the director, \* \* \* 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. \* \* \* ”

Finding said bond to have been properly executed in accordance with the above statutory provisions, I have accordingly approved the same as to form, and return it herewith.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

3840.

MUNICIPALITY—MAY ASSESS COST OF LIGHTING STREET UPON BENE-  
FITED PROPERTY WHERE LIGHTING EQUIPMENT OWNED BY PRI-  
VATE UTILITY UNDER CONTRACT TO FURNISH SERVICE.

SYLLABUS:

*A municipality may, in accordance with the provisions of Sections 3212, et seq., General Code, assess upon benefited property the cost of lighting a street when the lighting equipment is owned by a private utility which is furnishing the service under contract with the municipality.*