

3920.

APPROVAL, PAPERS, ETC., IN CONNECTION WITH CONVERSION OF THE PEOPLE'S BUILDING AND LOAN ASSOCIATION OF HAMILTON, OHIO, INTO PEOPLE'S FEDERAL SAVINGS AND LOAN ASSOCIATION OF HAMILTON, OHIO.

COLUMBUS, OHIO, February 7, 1935.

HON. W. PAUL WAGNER, *Superintendent of Building and Loan Associations of Ohio, Columbus, Ohio.*

DEAR SIR:—I have examined the various papers submitted by you in connection with the conversion of The People's Building and Loan Association of Hamilton, Ohio, into People's Federal Savings and Loan Association of Hamilton, and find the papers submitted and the proceedings of said The People's Building and Loan Association, as disclosed thereby, to be regular and in conformity with the provisions of section 9660-2 of the General Code of Ohio.

All papers, including two copies of the charter issued to the said Peoples Federal Savings and Loan Association, are returned herewith to be filed by you as a part of the permanent records of your department, except one copy of the charter which the law provides shall be filed by you with the Secretary of State. The law further provides that such filing with the Secretary of State shall be within ten days after the requirements of said section 9660-2 have been complied with by The People's Building and Loan Association, and that your approval shall be endorsed on the copy so filed. You will find on the copies of the charter, form of approval for your signature.

Respectfully,

JOHN W. BRICKER,
Attorney General.

3921.

APPROVAL, BOND FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES AS DIRECTOR OF HIGHWAYS—JOHN JASTER, JR.

COLUMBUS, OHIO, February 7, 1935.

HON. GEORGE S. MYERS, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination 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 hereinafter listed:

John Jaster, Jr., Director of Highways—The United States Fidelity and Guaranty Company.

The above bond is evidently executed pursuant to provisions of sections 1179 and 1182-3, General Code, which read, so far as pertinent, as follows:

“Sec. 1179. * * * The state highway director shall, before entering upon the duties of his office * * * give bond, conditioned according to law, with security to be approved by the governor, in such penal sum as shall be fixed by

the governor, not less in any case than ten thousand dollars. Such bond * * * shall be filed in the office of the secretary of state."

"Sec. 1182-3. Each employe or appointee under the provisions of this act, in cases other than where the amount of the bond is herein fixed, may be required to give bond in such sum as the director may determine. 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, which shall be approved as to sureties by the auditor of state*, shall be approved * * * ." (Italics mine.)

After an examination of the bond, I find same to be in proper legal form in accordance with the above statutory provisions, and I therefore approve it as to legality of form and return it herewith.

Respectfully,
JOHN W. BRICKER,
Attorney General.

3922.

POOR RELIEF—RELIEF ORDER ISSUED BY COUNTY RELIEF DIRECTOR
MAY BE FILLED BY COUNTY COMMISSIONER OPERATING GROCERY
STORE WHEN.

SYLLABUS:

Where a relief order is issued in a county by the county relief director through the procedure established by the State Relief Commission, and no particular grocer or merchant is designated in the order where such order is to be filled, a county commissioner who accepts such order at his store violates no law of Ohio in so acting.

COLUMBUS, OHIO, February 7, 1935.

HON. GERALD W. LANNING, *Prosecuting Attorney, Logan, Ohio.*

DEAR SIR:—Acknowledgment is made of your recent inquiry, which reads as follows:

"Would you please give me an opinion on the following statement of facts, at your earliest convenience?

A newly elected county commissioner, prior to his election, was for many years a merchant and grocer of a village in this county (Hocking). Prior to his election, some relief orders were issued at his store for merchandise for indigent parties.

Will the fact of said newly elected commissioner, in his official position, preclude him from now furnishing merchandise and groceries on relief orders to old customers who have dealt with him for many years prior to his election? (The orders from the relief office are made out to any grocer in the village of Carbon Hill.) Thus, the relief party has the option of cashing said order where he chooses in said village and where he obtains his merchandise is purely a voluntary matter with him.

If said commissioner accepts said orders, the county auditor must in due time issue his check to said commissioner for the order. Can said commissioner