

I have examined said proceedings, and am of the opinion that said proceedings are in all respects in conformity with the laws of Ohio pertaining to the sale of such lands.

I am accordingly returning the duplicate copies of said proceedings to you, with my approval noted thereon.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

781.

BOND—FORM ACCOMPANYING CONTRACT TO PURCHASE FLOUR FOR INSTITUTION FOR FEEBLE MINDED, ORIENT, OHIO, OUTLINED.

COLUMBUS, OHIO, July 25, 1927.

HON. J. P. BRENNAN, *Superintendent of Purchases and Printing, Columbus, Ohio.*

DEAR SIR:—In accordance with your request I submit herewith a form of bond to guarantee the delivery of twelve hundred (1200) barrels of flour by the Fairchild Milling Company, Cleveland, Ohio, for the account of the Department of Public Welfare, Institution for Feeble Minded, Orient, Ohio, pursuant to a contract entered into with said the Fairchild Milling Company, under date of July 19, 1927.

“ B O N D

KNOW ALL MEN BY THESE PRESENTS, That, we, The Fairchild Milling Company of Cleveland, Ohio, as principal, and \_\_\_\_\_ of \_\_\_\_\_, and \_\_\_\_\_ of \_\_\_\_\_, as sureties, are held and firmly bound unto the State of Ohio in the sum of Six Thousand Dollars (\$6,000.00), for the payment of which well and truly to be made we do bind ourselves, our heirs, successors, executors and administrators, jointly and severally by these presents.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1927.

The condition of this obligation is such that whereas, the said The Fairchild Milling Company, has entered into a certain contract under date of July 19th, 1927, with the State of Ohio acting by and through the Department of Public Welfare, to exchange approximately twelve hundred (1200) barrels of flour for six thousand (6000) bushels of No. 2 Wheat, delivery of said flour to be made to the Department of Public Welfare, Institution for the Feeble Minded, Orient, Ohio, as follows:—

One car at once and the balance of approximately three cars at the rate of one car per month thereafter;

Now, therefore, if the said The Fairchild Milling Company shall comply with the terms of said contract and shall make delivery of the flour above referred to in the manner above specified, then this obligation shall be void, otherwise to remain in full force and effect.

THE FAIRCHILD MILLING COMPANY,

By \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_”

In addition to the above bond you should be furnished with a certified copy of a resolution of the Board of Directors of The Fairchild Milling Company authorizing and directing the proper officer to sign the bond for and on behalf of said company. If the surety on the bond is a surety company you should be furnished with a certificate of the Superintendent of Insurance to the effect that such company is authorized to transact business in this state and also with a certified copy of the power of attorney of the agent signing the bond in behalf of the surety company together with a financial statement of said company. If the sureties on the bond are personal sureties you should be furnished with affidavits by the sureties to the effect that they have property subject to execution over and above all liabilities in a sum equal to the amount of the bond or a certificate of the County Auditor to that effect.

Respectfully,

EDWARD C. TURNER,  
*Attorney General.*

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782.

APPROVAL, NOTE OF WEYMOUTH RURAL SCHOOL DISTRICT, MEDINA COUNTY—\$528.00.

COLUMBUS, OHIO, July 26, 1927.

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

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783.

PROBATE COURTS—MAY NOT DIRECT SERVICE TO CHIEF OF POLICE OR A MEMBER OF CITY POLICE DEPARTMENT OR TO A VILLAGE MARSHAL OR HIS DEPUTY.

**SYLLABUS:**

*By virtue of the provisions of Section 1596, General Code, process issued by a probate court must be directed to and served by sheriffs, coroners and constables, except that, by the terms of Section 6212-26, General Code, in prosecutions involving violations of the laws prohibiting traffic in intoxicating liquors process issued by the probate court may also be directed to and served by the commissioner of prohibition, the deputy commissioner and regularly appointed inspectors of the prohibition department. In no case is the probate court authorized to direct service to the chief of police or a member of the police department of a city or to a village marshal or his deputy.*

COLUMBUS, OHIO, July 27, 1927.

HON. HERMAN F. KRICKENBERGER, *Prosecuting Attorney, Greenville, Ohio.*

DEAR SIR:—Your letter of recent date requesting my opinion duly received. Your letter reads as follows:

“Since the decision of Judge Taft in the case of *Tumey vs. State of Ohio*, I presume your department has been flooded with requests for opinions rela-