

Third, two municipalities may legally enter into an agreement by which the first municipality will furnish electricity to the residents of the second municipality, purchase the distribution lines owned by the second municipality, read the meters and collect from the inhabitants of the second municipality for electricity at such proper rates as may be agreed upon. In so doing the municipality selling the service is burdened with the same duties and is subject to the same restrictions in respect to the public of the territory served, as would apply to and govern a private corporation similarly engaged.

Respectfully,
GILBERT BETTMAN,
Attorney General.

554.

APPROVAL, LEASE OF PREMISES AT 1117 EAST BROAD STREET,
COLUMBUS, OHIO, FOR USE OF THE DIVISION OF CHARITIES.

COLUMBUS, OHIO, June 24, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and opinion a lease between the R. B. Campbell Company, of Columbus, Ohio, as lessor, and the State of Ohio, acting by and through Richard T. Wisda, Director of the Department of Public Works, for and on behalf of the Department of Public Welfare, Division of Charities, covering the premises at 1117 East Broad Street (and including garage space for one automobile), in the city of Columbus, Ohio.

The lease covers a period of six months (6) from the first day of July, 1929, to the thirty-first day of December, 1929, inclusive, and provides for the payment, as rent, during said term, of the sum of two thousand, eighty-one and 70/100 dollars (\$2,081.70), payable, three hundred forty-six and 95/100 dollars (\$346.95) per month.

Accompanying said lease you have submitted encumbrance estimate bearing No. 5271, issued in favor of R. B. Campbell Company, lessor, which bears the certification of the Director of Finance to the effect that there are unencumbered balances legally appropriated sufficient to pay the rent fixed in said lease.

Finding said lease in proper legal form and properly executed, I hereby approve the same and return said lease to you herewith, together with all other data submitted in this connection.

Respectfully,
GILBERT BETTMAN,
Attorney General.

555.

APPROVAL, BONDS FOR THE FAITHFUL PERFORMANCE OF THEIR
DUTIES—FORTY-TWO RESIDENT DISTRICT DEPUTY DIRECTORS—
ONE FIRST ASSISTANT DIRECTOR AND CHIEF ENGINEER OF
HIGHWAY DEPARTMENT—ONE DEPUTY DIRECTOR OF BUREAU
OF CONSTRUCTION OF HIGHWAY DEPARTMENT—DISAPPROVAL,
BONDS OF THREE RESIDENT DISTRICT DEPUTY DIRECTORS.

COLUMBUS, OHIO, June 25, 1929.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted for my consideration a number of bonds, each in the sum of five thousand dollars, and conditioned for the faithful performance of the duties of the principal as Resident District Deputy Director, as follows:

<i>Name</i>	<i>District</i>	<i>Surety</i>
O. C. Kohli.....	Allen, Hardin and Van West Counties.....	Standard Accident Insurance Co.
John W. Dowler.....	Athens County.....	American Surety Company of New York
E. C. Zimmerman....	Adams County.....	Southern Surety Company of New York
E. M. Shirk.....	Belmont County.....	National Surety Company
Carl H. Rush.....	Brown County	Southern Surety Company of New York
George R. Steller....	Montgomery and Butler Counties	Detroit Fidelity and Surety Company
P. A. Sieverling.....	Champaign and Clark Counties	Southern Surety Company of New York
Howard Collett.....	Clinton County.....	United States Fidelity and Guaranty Company
Lloyd C. Kirk.....	Columbiana County	Fidelity & Deposit Co. of Maryland
R. E. Hamilton.....	Coshocton County.....	United States Fidelity and Guaranty Company
C. C. Lattimer.....	Franklin County	Southern Surety Company of New York
W. J. Davis.....	Greene County.....	Fidelity & Deposit Co. of Maryland
E. A. Gast.....	Hamilton County	Southern Surety Company of New York
D. R. Roush.....	Highland County.....	Southern Surety Company of New York
B. V. Wright.....	Hocking County.....	American Surety Company of New York
Karl Snyder	Holmes County	The Ohio Casualty Insurance Com- pany
C. T. Williams.....	Huron County	The Aetna Casualty and Surety Com- pany
A. E. Roberts.....	Jackson County.....	National Surety Co.
Chas. T. Biggs.....	Lorain County	Independence Indemnity Company
Chas. L. Sawyer.....	Lucas County.....	Federal Surety Co.
H. L. McCafferty....	Madison County	Fidelity & Deposit Co. of Maryland
E. H. Bagford.....	Miami County.....	American Surety Co. of New York
K. L. Rothermund....	Monroe County.....	Maryland Casualty Co.
D. H. Richardson....	Morrow County.....	Fidelity and Casualty Co. of New York
C. A. Ferguson.....	Noble County.....	United States Fidelity and Guaranty Company
Kent Wedekind	Ottawa County.....	The American Guaranty Company
Roy Schultz	Paulding County.....	American Surety Company of New York

<i>Name</i>	<i>District</i>	<i>Surety</i>
John Avery-----	Perry County -----	Southern Surety Company of New York
Harold McCormick ..	Pike County -----	Southern Surety Company of New York
Ivan Earhart-----	Preble County -----	United States Fidelity and Guaranty Company
Albert L. Allen-----	Richland County-----	The Aetna Casualty & Surety Co.
H. Z. Hakes-----	Seneca County-----	Fidelity & Deposit Co. of Maryland
C. R. Zeune-----	Scioto County-----	The Fidelity & Casualty Co. of New York
E. H. Maurer-----	Shelby County -----	American Surety Company of New York
Atlee M. Wise-----	Stark County -----	Columbia Casualty Co.
H. G. Sours-----	Summit County-----	Southern Surety Co. of New York
R. G. Taylor-----	Trumbull County-----	The Fidelity & Casualty Co. of New York
Alvi Graham-----	Union County-----	The Aetna Casualty and Surety Co.
H. E. Calvin-----	Vinton County-----	American Surety Company of New York
P. O. Montfort-----	Warren County -----	United States Fidelity & Guaranty Company
T. J. Farrell-----	Washington County ----	The Fidelity & Casualty Co. of New York
O. G. Leapley-----	Wayne County-----	The Fidelity & Casualty Co. of New York

You also submit a bond of Frank L. Raschig in the sum of ten thousand dollars, conditioned for the faithful performance of his duties as First Assistant Director and Chief Engineer of the Highway Department, upon which the Southern Surety Company of New York appears as surety; and you further submit a bond in the sum of five thousand dollars to cover the faithful performance of the duties of Robert S. Beightler, Deputy Director, in charge of the Bureau of Construction of the Department of Highways, upon which The Fidelity and Casualty Company of New York appears as surety.

In this connection, it will be observed that Section 1183 of the General Code authorizes the appointment of resident district deputy directors, but makes no reference to a bond. However, Section 1182-3 provides that each employe or appointee under the provisions of the act, which is a part of the same act in which former Section 1183 was amended, may be required to give bond in such sum as the Director may determine. The section further provides that the Director, with the exception of his own bond, shall approve the sufficiency of the sureties, and the Attorney General shall approve such bonds as to form and legality. It is further noted that under Section 1180-1 the First Assistant Director is required to give a bond with sureties to the approval of the State Highway Director in the sum of ten thousand dollars; and under Section 1181 the Deputy Director in charge of Maintenance and Repair is required to give a bond in the sum of five thousand dollars, with sureties to the approval of the Highway Director.

It has been noted that you have approved all of the bonds which you have submitted. Upon consideration, all of the above named bonds have been found to be in proper legal form except the bonds given by Charles L. Sawyer, as Resident District Deputy Director of Lucas County, Albert L. Allen, Resident District Deputy Director of Richland County and Harold Z. Hakes, Resident District Deputy Director of Seneca

County. In the case of Charles L. Sawyer above mentioned, it does not appear that Edwin P. Brooks, who signed the bond for the Federal Surety Company, was acting under a power of attorney which gave him sufficient authority. This defect, however, could undoubtedly be corrected by having the proper executive officers of said bonding company execute a proper instrument authorizing the signing of such bond or an instrument properly executed ratifying the act of Edwin P. Brooks in signing said bond.

In the case of Albert L. Allen above mentioned, it appears that Mr. Allen failed to sign said bond as principal. Undoubtedly this defect may be corrected if Mr. Allen signs the bond; and in the case of Harold Z. Hakes above mentioned, Scott Garrett undertakes to sign said bond as attorney in fact by means of a typewriter. He also evidences having taken the acknowledgment of the oath attached to said bond by signing his name by means of a typewriter. It is believed that he should execute such bond by proper signature.

Accordingly, I have noted my approval as to form and legality on all of the bonds above mentioned, except the bonds of Charles L. Sawyer, Albert L. Allen and Harold Z. Hakes. All of said bonds are being herewith returned to you.

Respectfully,

GILBERT BETTMAN,
Attorney General.

556.

APPROVAL, BONDS OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO—

\$31,000.00.

COLUMBUS, OHIO, June 25, 1929.

Industrial Commission of Ohio, Columbus, Ohio.

557.

APPROVAL, BONDS OF OXFORD VILLAGE SCHOOL DISTRICT, BUTLER COUNTY, OHIO—\$120,000.00.

COLUMBUS, OHIO, June 25, 1929.

Industrial Commission of Ohio, Columbus, Ohio.