

project, in accordance with Section 8 of House Bill No. 699 of the 90th General Assembly, regular session.

In addition, you have submitted a contract bond upon which the Standard Accident Insurance Company of Detroit, Michigan, appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workmen's compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon, and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,

JOHN W. BRICKER,
Attorney General.

2944.

APPROVAL, BOND FOR THE FAITHFUL PERFORMANCE OF THEIR DUTIES—ROBERT FRANCIS SHEA, INVESTIGATOR, DEPARTMENT OF HIGHWAYS, NEW YORK CASUALTY COMPANY; JACK E. DARBY, INVESTIGATOR, DEPARTMENT OF HIGHWAYS, NEW YORK CASUALTY COMPANY.

COLUMBUS, OHIO, July 20, 1934.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted two bonds, in the penal sum of \$2,000 each, with surety as indicated, to cover the faithful performance of the duties of the officials as hereinafter listed:

Robert Francis Shea, Investigator, Department of Highways—
New York Casualty Company.
Jack E. Darby, Investigator, Department of Highways—
New York Casualty Company.

The above listed bonds are undoubtedly executed pursuant to the provisions of Sections 1182-2 and 1182-3, General Code, which state, in so far as pertinent, as follows:

“Sec. 1182-2. The director (of highways) may appoint additional clerks and stenographers, and such other engineers, inspectors and *other employes* within the limits of the appropriation as he may deem necessary to fully carry out the provisions of this act. The salary of each of said employes to be fixed by the director (of highways) within the limits of the appropriation made by the General Assembly. * * *”

"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 * * * 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 the above bonds to have been properly executed pursuant to the above statutory provisions, I have approved the same as to form, and return them herewith.

Respectfully,
 JOHN W. BRICKER,
Attorney General.

2945.

LIQUOR—A OR B PERMITTEE MAY NOT HAVE FINANCIAL INTEREST IN ESTABLISHMENT, MAINTENANCE OR PROMOTION OF BUSINESS OF PERSON AUTHORIZED TO SELL BEER, WINE OR SPIRITUOUS LIQUOR AT RETAIL IN OHIO.

SYLLABUS:

1. *Under Section 24 of House Bill No. 1 (section 6064-24, General Code) enacted in the second special session of the 90th General Assembly, no person holding any A or B permit can have any financial interest, directly or indirectly, in the establishment, maintenance or promotion of the business of any person authorized to sell beer, wine or spirituous liquor at retail in Ohio.*

2. *No holder of any A or B permit can own, operate, establish or maintain any place of business where beer, wine or spirituous liquor is sold at retail, which privileges are conferred under C and D permits issued by the Department of Liquor Control.*

COLUMBUS, OHIO, July 20, 1934.

Board of Liquor Control, Columbus, Ohio.

GENTLEMEN:—This will acknowledge your letter of recent date which reads as follows:

"By the second sentence of Section 24, it is provided that no manufacturer or distributor shall have any financial interest 'directly or indirectly, by stock ownership or through interlocking directors in a corporation, or otherwise, in the establishment, maintenance or promotion of the business of any retail dealer.'

The Ohio Board of Liquor Control desires to know whether in your opinion Section 24 prohibits a manufacturer or wholesale distributor from having any financial interest in the business of a retail