

Circuit Court was affirmed, without written opinion, in *York vs. Warner*, Admr., 75 Ohio St., 595, 80 N. E., 1135.

From your statements it appears that the Coal Company owns only certain equities consisting of royalties, which of course can not be reached by a levy of execution, but only by proceedings in aid of execution.

Respectfully,

EDWARD C. TURNER,

Attorney General.

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DISAPPROVAL, BOND FOR FAITHFUL PERFORMANCE OF DUTIES—
OTHO WALTER MERRELL.

COLUMBUS, OHIO, March 24, 1927.

HON. GEORGE F. SCHLESINGER, *Director of Highways and Public Works, Columbus, O.*

DEAR SIR:—You have submitted for my examination the official bond of Otho Walter Merrell to the State of Ohio, in the amount of five thousand dollars (\$5,000.00), with The Aetna Casualty and Surety Company as surety, to cover the faithful performance of his duties as Resident Deputy State Highway Commissioner.

This bond was given in accordance with the provisions of Section 1182 of the General Code. While dated and signed by the surety under date of August 31, 1925, it was not approved by you and transmitted to this department for examination until March 17, 1927.

I am herewith returning this bond without my approval endorsed thereon for the following reasons:

1. The bond was not signed and executed by the principal, Mr. Merrell.
2. Two interlineations appear on the face of the bond, the word "Resident" being twice written in before the words "Deputy State Highway Commissioner". No showing is made as to whether these interlineations were made before or after the execution of the bond by the surety company. If they were made before, the bond should contain a statement to that effect signed by the parties bound thereby.

Respectfully,

EDWARD C. TURNER,

Attorney General.

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DEALER IN SECURITIES—RIGHT TO DISPOSE OF SECURITIES—SEC-
TIONS 6373-14 AND 6373-16, GENERAL CODE, CONSTRUED.

SYLLABUS:

1. *An Ohio licensed dealer in securities, who acquires from an owner, not the issuer, certain securities, may thereafter dispose thereof upon complying with the requirements of Section 6373-9 of the General Code.*

2. *An Ohio licensed dealer in securities, who underwrites a portion of an issue of securities, may not claim exemption from the requirements of Sections 6373-14 and 6373-16, which provide for the certification of certain classes of securities, by reason of the fact that such dealer has firmly contracted to purchase and pay for said stock ninety per cent of the*