deposit liability and take an assignment from the public depositors of their claims to future liquidating dividends.

In view of the foregoing, it is my opinion that:

- 1. The release by a board of township trustees or a board of education, under Sections 4296 and 4749-1, General Code, respectively, of a claim due from a depository bank in liquidation, discharges the sureties on the depository bond.
- 2. Such boards have no power to discharge the sureties on a depository bond except where the principal obligation is released.

Respectfully,

JOHN W. BRICKER,

Attorney General.

4454.

APPROVAL, NOTES OF COAL RURAL SCHOOL DISTRICT, JACKSON COUNTY, OHIO, \$9,568.00.

COLUMBUS, OHIO, July 23, 1935.

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

4455.

APPROVAL, SIXTY BONDS OF HIGHWAY PATROLMEN.

COLUMBUS, OHIO, July 23, 1935.

HON. JOHN JASTER, JR., Director of Highways, Columbus, Ohio.

DEAR SIR:—You have submitted for my approval a schedule bond upon which sixty highway patrolmen, appointed under section 2 of House Bill No. 270 (115 O. L. 93), 90th General Assembly, regular session, are principals and the Glens Falls Indemnity Company is surety.

Said bond is undoubtedly entered into pursuant to the provisions of section 1181-2, General Code (section 2 of House Bill No. 270), which reads in so far as pertinent as follows:

(\*\*\* \* \*\* \*\* \*\*

Each highway patrolman upon his appointment and before en-

tering upon his duties shall \* \* \* execute a bond in the sum of twenty-five hundred (\$2500.00) dollars payable to the state and for the use and benefit of any aggrieved party who may have a cause of action against any such patrolman for misconduct while in the performance of his duties \* \* \* ."

Upon examination of the bond, it has been noted that line 17, paragraph 3, refers to sections 1178-2 and 1178-3, General Code. These sectional numbers are incorrect, as the subject matter of such sections has no bearing on state highway patrolmen. However, pursuant to my letter to you under date of July 18, 1935, calling attention to this error, I have received a rider of the Glens Falls Indemnity Company, executed July 19, 1935, recognizing the incorrectness of the reference to sections 1178-2 and 1178-3, General Code, and substituting sectional numbers 1181-2 and 1181-3, General Code, for such sectional numbers.

Finding said bond and rider in proper legal form, in accordance with the statutory provisions, I hereby approve such bond and rider as to form, and am returning the same to you herewith.

Respectfully,

JOHN W. BRICKER,

Attorney General.

4456.

APPROVAL, BOND FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES AS RESIDENT DISTRICT DEPUTY DIRECTOR—WALTER J. NEIDHARDT.

COLUMBUS, OHIO, July 23, 1935.

HON. JOHN JASTER, JR., Director of Highways, Columbus, Ohio.

DEAR SIR:—You have submitted a bond in the penal sum of \$5,000.00, with sureties as indicated, to cover the faithful performance of the duties of the official as hereinafter listed:

Walter J. Neidhardt, Resident District Deputy Director, Van Wert County—Glens Falls Indemnity Company.

The above bond is undoubtedly executed pursuant to the provisions of sections 1183 and 1182-3, General Code, which state, in so far as pertinent: