

390.

APPROVAL, BOND FOR FAITHFUL PERFORMANCE OF DUTIES—
TRACY S. BRINDLE.

COLUMBUS, OHIO, April 26, 1927.

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

DEAR SIR:—You have resubmitted for my consideration an official bond of Tracy S. Brindle, given in accordance with the requirements of Section 1182 of the General Code, for the faithful performance of his duties as Resident Deputy State Highway Commissioner.

To this bond is attached a certificate of the surety company to the effect that the person signing said bond in behalf of said company is its attorney in fact, and is authorized to sign an official bond of this nature for the amount therein involved, binding upon said company.

There is also attached a certificate from the Department of Commerce, Division of Insurance, to the effect that the surety company signing this bond is authorized to transact its appropriate business of fidelity and surety insurance within this state.

Finding said bond in proper legal form, and properly executed, I have noted my approval thereon, and am returning the same herewith to you.

Respectfully,

EDWARD C. TURNER,
Attorney General.

391.

DISAPPROVAL, BONDS OF ASHLAND COUNTY, OHIO—\$50,000.00.

COLUMBUS, OHIO, April 26, 1927.

Re: Bonds of Ashland County, \$50,000.00.

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

GENTLEMEN:—Upon examination of the transcript for the above bond issue it appears that the initial step in the proceedings was had by the passage of the resolution of the county commissioners, dated January 25, 1926, purporting to be an agreement executed on behalf of the county to participate in the proposed maintenance and repair work upon certain roads to be undertaken by the Department of Highways and Public Works. This resolution is adopted pursuant to authority contained in Section 1224 of the General Code.

Section 1224 of the Code is applicable to cases in which the Director of Highways and Public Works, on his own initiative, undertakes the maintenance of main market roads and inter-county highways. By the terms of that section it is expressly provided that the assessment against all abutting property owners is limited to ten per cent of the cost and expense of such repair. The subsequent steps taken appear to be inconsistent with the provisions of Section 1224 in that the property owners are assessed fifteen per cent of the cost. This would be authorized under an apportionment pursuant to Section 1214 of the Code, where proper application has been made by the county commissioners for state aid. Inquiry develops the fact, however, that