

County Commissioners Appoint New Engineer At Meeting Saturday

September Jury Is Drawn Here Monday

50 Persons Are Named to Grand, Petit Panels

Names of persons who will serve as grand and petit jurors during the September term of Highland County Common Pleas Court were drawn from the jury wheel, Monday morning.

The names of 50 Highland County residents were drawn from the wheel, with the first 15 names being placed on the grand jury list and the remaining 35 being named as petit jurors to sit in individual cases during the term.

Making the drawing Monday morning were Judge George W. McDowell; Harold Mason, county clerk of courts; Sheriff F. F. Gustin and C. H. Stevenson and B. W. Fenner, county jury commissioners.

The grand jury is scheduled to convene on Monday, Sept. 13, the first day of the fall term. At that time they will be presented evidence in any criminal cases on the docket at that date. The petit jurors will be called at a later date, as cases are assigned for trial.

Those named to serve on the grand jury during the fall term and the township in which they reside are: Elmer Tissot, Whiteoak; Bertha Fender, Concord; Henry Neff, Fairfield; Melvin Parker, (CONTINUED ON PAGE 5)

Two Drivers Held in Hit-Skip Accidents; Five Investigated By City Police Over Week-End

After enjoying eight accident-free days, city police investigated a total of five accidents over the week-end, two of which resulted in the drivers being charged with driving while under the influence of alcohol and leaving the scene of an

School Money Is Distributed

Third Distribution Of Foundation Fund

The third quarterly allotment of school foundation funds for 1954 have been received from the state and distribution made to various schools in the county, W. G. Williamson, county superintendent, reports.

The 15 school districts in the county shared a total of \$88,450.78. As usual, the largest amounts went to Lynchburg and Leesburg-Highland districts.

Hillsboro Schools have also received their third quarterly allotment, amounting to \$39,453.89.

DISTRIBUTION to the county schools was as follows: Belfast, \$7,800.60; Buford, \$7,681.61; Carmel, \$2,891.08; Concord, \$4,739.72; Leesburg-Highland, \$14,061.84; Lynchburg, \$14,517.06; Marshall, \$5,860.37.

New Market, \$2,938.69; New Petersburg, \$2,048.30; Rainsboro, \$3,230.10; Boston, \$382.75; Penn, \$1,690.61; Salem, \$4,030.59; Sinking Spring, \$6,425.94; Whiteoak, \$10,151.52.

Vacancy Is Declared In County Post

In one of the most surprising legal moves seen here for several years, a vacancy was declared in the office of county engineer Saturday, and the county commissioners immediately appointed Claude West, former county official, to the post.

The move came after the commissioners received a letter from T. Vincent Martin, deputy inspector and supervisor, in the office of State Auditor James A. Rhodes.

Martin, who local officials had conferred with on their visit to Columbus earlier last week, declared that, since the bond on Philip H. Partridge, confessed arsonist, had been lifted by the bonding firm, the county was legally without an engineer.

The commissioners and Prosecutor Richard L. Davis knew of the impending action after their visit to Columbus last week. They had refused comment on the engineer's case, however, saying that they expected further word from the state capitol later in the week.

Actually, the prosecutor had gone to Columbus to see whether or not Partridge could be ousted on misconduct charges drafted by the commissioners earlier. An appointment with Martin was made at this time to see if arrangements could be worked out whereby county employees in the engineer's department could be paid. They missed the last payroll period, due to the fact that Partridge was not qualified to sign the payroll.

It was during this visit that Martin told them that such charges against the engineer were unnecessary, since there was already a vacancy in the office. This cleared the way for the appointment of a new engineer by the commissioners.

In the letter to the commissioners Martin said:

"In order to entitle a person to receive the emoluments of office, he must meet the requirements of the qualifications for said office. The right to compensation rests entirely on statutory enactment. A duly elected public official is (CONTINUED ON PAGE 3)

Commissioners

(CONTINUED FROM FRONT PAGE) entitled to be paid as provided by the statutes of the State.

"Section 315.13 of the Revised Code reads in part as follows:

"The County Engineer, before entering upon the duties of his office, shall give bond,"

"Section 315.07 of the Revised Code, also, reads as follows:

"Any person injured by the misconduct or neglect of the County Engineer or his Deputy may bring action of the official bond of such engineer or deputy and receive judgment for any loss or damage sustained by reason of such misconduct or neglect."

"From the statutory language herein quoted there can be no question but what the law requires that a County Engineer give bond for faithful performance before being qualified for the office of Engineer. The language of Section 315.07 makes it mandatory that such bond be continued throughout the tenure of office.

"From the information contained in your letter of August 25, 1954, it is our conclusion that the performance bond of the County Engineer has been cancelled by the surety company which had provided the bond. We further conclude that the County Engineer is of this date without an official bond which is required by statute.

"Therefore, in specific answer to the inquiry in your letter of August 25, it is our judgment it will be illegal to pay to the Engineer any compensation in that he does not at this time meet the qualifications required of a County Engineer, and from a strict interpretation of the statutes there is no person in Highland County entitled to the office of County Engineer in that there is a definite failure to comply with the statutes prescribing qualifications of a County Engineer."

The commissioners said they feel they were "very fortunate" in getting the services of West, who served as engineer here until he resigned in 1950. West has acted as engineer on a voluntary basis since the time that Partridge confessed setting fire to the Lincoln School building on July 5. Partridge had been appointed as county engineer when West resigned the post in 1950, and had served until that time.

Charges drafted by the commissioners, charging Partridge with

misconduct after he refused to resign the post, will not be filed in view of the latest turn of events, the commissioners said. They said that all charges against him will be dropped, except the arson charge, which will go before the grand jury when it convenes here on Sept. 13. Partridge pleaded guilty to this charge at a preliminary hearing on July 7.

One of West's first moves after taking the oath of office, Saturday morning, was to sign the payroll which gave the county engineer's staff and the county highway employees the money due them.

The employees missed only one pay during the time Partridge has been out of office, it was explained, due to the fact that a deputy in his office was authorized to sign the payroll for a 30-day period after the engineer's bond was lifted.

Commissioners said West will serve until his successor is duly elected and qualified. West gave bond in the amount of \$10,000.

Johnston

(CONTINUED FROM FRONT PAGE)

branch exchange repairman. In 1949 he transferred back to the commercial department and worked up through various positions until he became a commercial service engineer handling the accounts of large business subscribers. It is the latter position that he leaves to become commercial manager in this section.

McGee's telephone experience was appropriated by Uncle Sam in World War II. Assigned to special service in Rome, he became a traffic engineer for the Societa Telefonica di Tirrena, the principal telephone company in Italy, in which activity he reported to the U. S. Army's chief signal officer for the Mediterranean area.

McGee's principal hobbies are fishing and traveling. He is married and has two children, aged 10 and 12 years.

Mr. Johnston, the departing commercial manager, is a native of Grand Island, Neb. After attending Technical High School in Omaha, he was a University of Nebraska student from 1928 to 1932.

But his first experience in the telephone business was before that, when he worked in Lincoln, Neb., in the blueprint department of the Lincoln Telephone Co., and then in Omaha for the Northwestern Bell Telephone Co. From 1923 to 1932 he worked during summers for an

