

# New Engineer Appointed County Commissioners

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

The move came after the commissioners received a letter from Vincent Martin, deputy inspector and supervisor, in the office of State Auditor James A. Rhodes. Martin, who local officials had returned with on their visit to Columbus earlier last week, declared 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 impending action after their visit to Columbus last week. They 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 returned to Columbus to see whether Partridge could be ousted on misconduct charges drafted by the commissioners earlier. An appointment with Martin was made this time to see if arrangements could be worked out whereby county employees in the engineer's department could be paid. They received the last payroll period, due to the fact that Partridge was not authorized 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 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.'

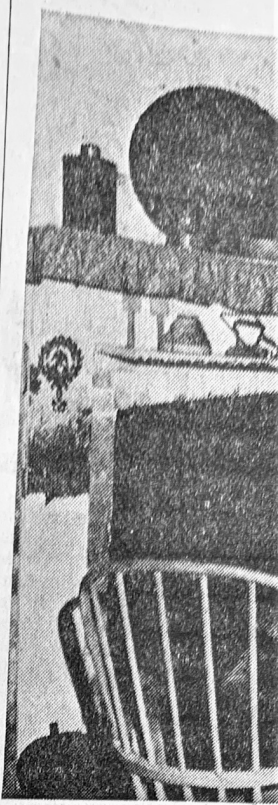
"From the statutory language herein quoted there can be no question but what the law requires that a County Engineer give bond for faithful performance before being qualified for the office of Engineer. The language of Section 315.07 makes it mandatory that such bond be continued throughout the tenure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



**HISTORY RECAPTURED—** past week-end during an open hearing for the affair. Here is a scene in which was done and other articles of by Dow.

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.

## Sanitarian Will Testify in Case

Pryor Link, county sanitarian, has been subpoenaed to appear before the Ohio Liquor Control Board at Columbus Thursday, Sept. 2, to testify in the case of Donald Moore, operator of a cafe and tourist cabins at Dodsonville.

Moore was cited several weeks ago by Stanley Delhart, enforcement agent, on alleged violation of liquor regulations. At the same time, Link issued a warning to Moore on county health regulations. The sanitarian and Delhart made a joint inspection of Moore's place.

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