

It is clear from this section that the so-called "scrip" is not "money" but is a promissory note of the political subdivision, in this case a county, which issues it. The scrip in question can be used only for a limited purpose. It may be that for such purpose it is as valuable as a like face amount of money. It may also be true that the Superintendent of Banks could use the scrip for that particular purpose. (Section 710-95, paragraph 5, supra). Nevertheless, in view of the plain language of section 710-95, General Code, I am of the opinion that the superintendent of banks can accept scrip under Paragraph 1 of the second group of numbered paragraphs of such section only to compromise a bad or doubtful debt, and then only with the approval of the Court of Common Pleas.

Paragraph 2 of the second group of numbered paragraphs of said section 710-95, provides that assets may be exchanged, with the approval of the court, at not less than their appraised value as fixed under section 710-95b, General Code. In my opinion, assets in the possession of the Superintendent of Banks may be exchanged for scrip pursuant to this paragraph and in compliance with the procedure therein prescribed.

Specifically answering your inquiry, it is my opinion that:

1. Under sub-paragraph 1 of section 710-95, General Code, the Superintendent of Banks, in charge of the liquidation of a bank, may, with the approval of the Court of Common Pleas of the county in which the liquidation proceedings are pending, accept scrip issued by the county, in payment of interest and principal of debts due to such bank, where such scrip will be accepted by the county treasurer in payment of taxes, and where such bank owes taxes upon real estate located in that county which are due from the Superintendent of Banks.

2. Under sub-paragraph 2 of section 710-95, General Code, the Superintendent of Banks may, with the approval of the Court of Common Pleas, accept county scrip in exchange for assets of a bank in liquidation, provided that no assets shall be so exchanged at less than the appraised value thereof, as fixed by appraisers appointed as provided in section 710-95b, General Code.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

3239.

APPROVAL, LEASE NO. 2242, IN FRANKLIN TOWNSHIP, MERCER COUNTY, OHIO, FOR STATE GAME PURPOSES—STATE OF OHIO.

COLUMBUS, OHIO, September 22, 1934.

HON. WILLIAM H. REINHART, *Commissioner, Division of Conservation, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval a certain lease No. 2242, executed by K. E. Mitchell and L. J. Mitchell of Franklin Township, Mercer County, Ohio, to the State of Ohio, on a parcel of land in said township and county, known and described as follows:

"Being the northwest quarter of the southwest fractional quarter of Section 19, Town 6 South, Range 3 East, containing fifty-five acres of land, more or less.

Also the south fraction of the west half of the northwest fractional quarter of Section 19, Town 6 South, Range 3 East, containing eighty-three and 10/100 acres of land, more or less.

Also the east fraction of the northwest fractional quarter of Section 19, Town 6 South, Range 3 East, containing sixty-one and 76/100 acres of land, more or less.

Also the west part of the south half of the northeast quarter of Section 19, Town 6 South, Range 3 East, containing four and 63/100 acres (For a more minute description of the above tract, reference is hereby made to plat and survey of the same on file in the office of the Auditor of State.)

Also a triangular strip of land bounded on the south by road running diagonally in a northwesterly direction through the southwest quarter of the southwest fractional quarter of Section 19, Town 6 South, Range 3 East, and on the east by the nine and 36/100 acre tract this day deeded to Lester H. Johnston by said grantee, and on the north by the north line of said forty acre tract, and containing seven acres of land, more or less.

In all containing two hundred and eleven and 49/100 acres of land more or less."

By this lease, which is one for a term of five years, this land is leased and demised to the state solely for state game refuge purposes; and it is noted in this connection that acting under the provisions of Section 1435-1 and other related sections of the General Code, the Conservation Council, acting through you as Conservation Commissioner, has set this property aside as a state game and bird refuge during the term of said lease.

Upon examination of this lease, I find that the same has been properly executed and acknowledged by said lessor and by the Conservation Council acting on behalf of the state through you as Commissioner. I am accordingly approving this lease as to legality and form as is evidenced by my approval endorsed upon the lease and upon the duplicate copy thereof, both of which are herewith returned.

Respectfully,

JOHN W. BRICKER,

*Attorney General.*

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3240.

APPROVAL, BONDS OF CITY OF SPRINGFIELD, CLARK COUNTY,  
OHIO—\$23,000.00.

COLUMBUS, OHIO, September 25, 1934.

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