

3562.

APPROVAL, LEASE FOR RIGHT TO USE FOR DOCKLANDING, WALKWAY AND OTHER PURPOSES, LAND AT PORTAGE LAKES—
THOMAS L. MYERS.

COLUMBUS, OHIO, September 11, 1931.

HON. I. S. GUTHERY, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of a recent communication over the signature of the Chief of the Bureau of Inland Lakes and Parks in the Division of Conservation, submitting for my examination and approval two certain reservoir land leases in triplicate, executed by the Conservation Commissioner, by which there are leased and demised to Thomas L. Myers of South Akron, Ohio, and to M. E. Lockard and others of Akron, Ohio, respectively, the right to use and occupy for docklanding, walkway and other like purposes, the water front and state land in the rear thereof, at Portage Lakes, the land so leased being more particularly described in said respective lease instruments.

Upon examination of said leases, I find that the same have been properly executed by the parties thereto and that the provisions of said leases are in conformity with the statutory provisions relating to the execution of leases of this kind.

Said leases are accordingly hereby approved as is evidenced by my approval endorsed upon said respective leases and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,
GILBERT BETTMAN,
Attorney General.

3563.

APPROVAL, LEASE FOR RIGHT TO LAY GAS PIPES ACROSS TURKEY
FOOT LAKE, FRANKLIN TOWNSHIP, SUMMIT COUNTY, OHIO—
PORTAGE LAKES GAS COMPANY.

COLUMBUS, OHIO, September 11, 1931.

HON. I. S. GUTHERY, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of a recent communication from the Division of Conservation in your department, submitting for my examination and approval a certain reservoir land lease in triplicate, by which there is leased and demised to the Portage Lakes Gas Company of Massillon, Ohio, for a term of fifteen years, the right to lay one 4 inch or two 2 inch pipe lines for domestic gas purposes across Turkey Foot Lake in Section 13, Franklin Township, Summit County, Ohio, following certain courses specifically stated in said lease.

Upon consideration of said lease and the provisions thereof, I am inclined to the view that the authority to execute leases of this kind is one of the powers formerly exercised by the Superintendent of Public Works which passed to the Conservation Commissioner under section 471 and other related sections of the

General Code amended and enacted by the legislature in the enactment of the conservation act, and inasmuch as said lease has been properly executed by the parties thereto, and the provisions thereof are in conformity with the above noted and other sections of the General Code relating to leases of this kind, said lease is hereby approved as is evidenced by my approval endorsed upon said lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,
GILBERT BETTMAN,
Attorney General.

3564.

SCHOOL BUS DRIVER—COUNTY BOARD OF EDUCATION MAY ISSUE CERTIFICATE TO DRIVE TO A WOMAN OVER EIGHTEEN.

SYLLABUS:

A county board of education may issue certificates to drive a school vehicle to women or girls over eighteen years of age, provided such persons show that they are over eighteen years of age, of good moral character and qualified for such position.

COLUMBUS, OHIO, September 12, 1931.

HON. FRED W. EVERETT, JR., *Prosecuting Attorney, Jackson, Ohio.*

DEAR SIR:—This is to acknowledge receipt of your communication which reads as follows:

“I would like to submit the following question for your advice:

Under Section 7731-3 of the General Code, may the County Board of Education issue a certificate to drive a school wagon or bus to a woman if she provides sufficient bond and shows that she is over eighteen years of age and of good moral character and is qualified for the position? I am aware of your opinion holding that a girl sixteen attending school does not come within the exception in this section, but I did not understand that opinion to hold that a woman over eighteen could not qualify as a school bus driver.”

Section 7731-3, General Code, which you mention in your communication, provides as follows:

“When transportation is furnished in city, rural or village school districts no one shall be employed as driver of a school wagon or motor van who has not given satisfactory and sufficient bond and who has not received a certificate from the county board of education of the county in which he is to be employed or in a city district, from the superintendent of schools certifying that such person is at least eighteen years of age and is of good moral character and is qualified for such position. Provided, however, that a county board of education may grant such certificate to a boy who is at least sixteen years of age and