

There are no apparent legal reasons why these leases should not be approved and the state be thereby permitted to use its own lands for fish hatchery purposes, instead of being compelled to purchase, or otherwise acquire lands for this purpose.

Under the provisions of Section 469, General Code, the above named reservoirs and the lands included therein, and adjacent thereto, are dedicated and set apart for the use of the public as public parks or pleasure resorts; and by Section 470, General Code, it is provided that these reservoirs shall at all times be open to the public as resorts for recreation and pleasure. In this situation, I assume that the use of the lands in these respective reservoirs for fish hatchery purposes, in the manner contemplated by these leases, will in no wise interfere with the legitimate and lawful use of these reservoirs and lands for public park and pleasure resort purposes.

With this assumption, I am approving these leases as to legality and form, and I herewith return the leases with my approval endorsed upon the same and upon the duplicate and triplicate copies thereof.

Respectfully,

GILBERT BETTMAN,
Attorney General.

4180.

APPROVAL, LEASE FOR RIGHT TO USE FOR COTTAGE SITE AND DOCK-LANDING PURPOSES, LAND AT LAKE ST. MARYS—HARVEY MARTIN.

COLUMBUS, OHIO, March 25, 1932.

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

DEAR SIR:—This is to acknowledge the receipt of a recent communication from your department, 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, a certain reservoir land lease executed by the Conservation Commissioner, pursuant to the authority conferred upon him by Section 471, General Code.

By this lease there is leased and demised to one Harvey Martin, of Celina, Ohio, for a term of fifteen years, the right to use and occupy for cottage site and dock-landing purposes, that portion of the inner slope and water front and all of the outer slope of the westerly embankment of Lake St. Marys, and the state land in the rear thereof, extending back to the state ditch, that is included in the south half of Embankment No. 61, lying south of the center line of Section 12, Town 6 south, Range 2 east.

Upon examination of this lease I find that the same has been executed by the Conservation Commissioner and by the above named lessee, in the manner provided by law. Upon examination of the terms and provisions of this lease, and the conditions and restrictions therein contained, I find the same to be in conformity with statutory provisions relating to leases of this kind.

I am accordingly approving said lease as to legality and form and I herewith

return the same with my approval endorsed thereon and upon the duplicate and triplicate copies thereof.

Respectfully,

GILBERT BETTMAN,
Attorney General.

4181.

APPROVAL, CONTRACTS FOR ROAD IMPROVEMENTS IN RICHLAND COUNTY.

COLUMBUS, OHIO, March 25, 1932.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

4182.

APPROVAL, NOTES OF CANFIELD VILLAGE SCHOOL DISTRICT, MAHONING COUNTY, OHIO—\$7,930.00.

COLUMBUS, OHIO, March 25, 1932.

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

4183.

SCHOOL TRANSPORTATION—NON-RESIDENT PUPILS ATTENDING SCHOOL IN ANOTHER DISTRICT—REASONABLE CHARGE MAY BE ASSESSED FOR SUCH TRANSPORTATION.

SYLLABUS:

1. *Where non-resident pupils attend the schools of a district, either under a contract made in pursuance of Section 7750, General Code, or by authority of Section 7682, General Code, transportation facilities maintained by the district where the school attended is located, may be extended to those non-resident pupils and a proper charge made therefor by the district furnishing the transportation.*

2. *The proper charge to be made for such transportation depends on circumstances. It should be fixed at such an amount as will reasonably cover the proportionate cost of furnishing the transportation, and no more.*

COLUMBUS, OHIO, March 25, 1932.

HON. MARION F. GRAVEN, *Prosecuting Attorney, Wooster, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion, which reads as follows: