

lands in the Village of Waverly, Pike County, Ohio, which parcel, containing 3540 square feet of land, is more particularly described by metes and bounds in said lease.

This lease, I assume, is executed under the authority of section 3 of the Act of June 7, 1911, 102 O. L. 293, providing for the abandonment of certain portions of the Ohio Canal and for the sale or lease of the same, and under the more general provisions of sections 13965, et seq., General Code.

Upon examination of this lease, I find that the same has been properly executed by you in your official capacity as Superintendent of Public Works and as Director of said department, and by Carl H. Johnson, said lessee. I further find, upon examination of the lease and of the conditions and restrictions therein contained, that the same are in conformity with the statutory provisions above noted and with other statutory enactments relating to leases of this kind. 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 and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,
JOHN W. BRICKER,
Attorney General.

1671.

APPROVAL, NOTES OR STRATTON VILLAGE SCHOOL DISTRICT,
JEFFERSON COUNTY, OHIO—\$1,725.00.

COLUMBUS, OHIO, October 4, 1933.

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

1672.

APPROVAL, NOTES OF JERSEY RURAL SCHOOL DISTRICT, LICKING
COUNTY, OHIO—\$1,500.00.

COLUMBUS, OHIO, October 4, 1933.

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

1673.

APPROVAL, BOND FOR THE FAITHFUL PERFORMANCE OF HIS DU-
TIES AS SUPERINTENDENT OF STATE HIGHWAY PATROL—
LYNN E. BLACK.

COLUMBUS, OHIO, October 4, 1933.

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

DEAR SIR:—You have submitted for my approval a bond in the penal sum

of \$5,000, upon which the name of Lynn E. Black appears as principal and the National Surety Corporation appears as surety, conditioned to cover the faithful performance of the duties of the principal as Superintendent of State Highway Patrol.

The aforesaid bond is undoubtedly executed pursuant to the requirement of section 1181-2, General Code (section 2 of House Bill No. 270, passed at the regular session of the 90th General Assembly, on March 28, 1933, approved by the Governor on March 30, 1933, and filed in the office of the Secretary of State on March 31, 1933). Said section 1181-2, General Code, provides in part:

“* * * The superintendent shall give a bond for the faithful performance of his duties in such amount and with such security as the director may approve. * * *”

Upon examination of such bond, I find the same to have been properly executed, with the exception of the fact that the word “Franklin” should be inserted in the blank space preceding the word “County” in the first line of the Oath.

Finding said bond legal and proper as to form, I have endorsed my approval thereon and return the same herewith.

Respectfully,
JOHN W. BRICKER,
Attorney General.

1674.

OSTEOPATHIC PHYSICIAN—NOT QUALIFIED TO ACT AS MEDICAL
WITNESS IN LUNACY PROCEEDINGS.

SYLLABUS:

An osteopathic physician is not a registered physician having at least three years' experience in the practice of medicine, within the meaning of Section 1956, General Code, and is therefore not qualified to act as a medical witness in lunacy proceedings held pursuant to Sections 1954 et seq. General Code. (Opinion of a former Attorney General, appearing in Opinions of the Attorney General for 1917, Vol. 3, page 1994, followed.)

COLUMBUS, OHIO, October 5, 1933.

HON. JACKSON E. BETTS, *Prosecuting Attorney, Findlay, Ohio.*

DEAR SIR:—I am in receipt of your request for my opinion on the following matter:

“Section 1956, Ohio General Code, provides that in insanity hearings when the Probate Judge is satisfied that a person is insane,

* * he shall cause a certificate to be made out by two medical witnesses * *

In qualifying medical witnesses the statute says:

‘The medical witnesses must be registered physicians according to the laws of Ohio, and must have had at least three years' experience in the practice of medicine.’