

2459.

APPROVAL, BONDS OF CITY OF PORTSMOUTH, SCIOTO COUNTY,  
\$5,231.39.

COLUMBUS, OHIO, May 6, 1925.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*

2460.

APPROVAL, LEASE BY THE AUDITOR OF STATE TO THE FEDERAL  
OIL AND GAS COMPANY OF AKRON, OHIO, COVERING 160 ACRES  
OF LAND, IN SECTION 16, TOWNSHIP 12, RANGE 14, HOCKING  
COUNTY, OHIO.

COLUMBUS, OHIO, May 7, 1925.

HON. JOSEPH T. TRACY, *Auditor of State, Columbus, Ohio.*

DEAR SIR:—You have submitted for my consideration a release of a lease which was executed on the 10th day of April, 1919, by the auditor of state to the Federal Oil and Gas Company of Akron, Ohio, covering 160 acres of land, more or less in section 16, township 12, range 16, Hocking county, state of Ohio.

Section 3209 of the General Code authorizes the auditor of state to lease such lands upon such terms and for such time as will be for the best interests of the beneficiaries thereof. It would therefore appear that the discretion as to the terms of such lease is entirely a matter for the auditor of state to determine. The lease referred to contained the provision to the effect that the lessee may at any time, by paying the lessor all amounts then due, and the further sum of \$1.00, surrender and cancel the lease. It further provided that the lessee should execute a release and record the same in the proper recording office.

In view of the terms above mentioned of the said lease, it would seem that the release submitted is in proper legal form.

You have further submitted a lease which was executed by the auditor of state on the first day of May, 1925, leasing to the said Federal Oil and Gas Company the premises above described. This lease also appears to be in proper legal form.

You have further submitted an assignment executed on May 1, 1925, whereby the Federal Oil and Gas Company assigns its rights under the lease executed on the same day to Abe Snyder of Lancaster, Ohio, and the Buckeye Supply Company, a partnership.

Inasmuch as the lease last mentioned expressly provides that the lease may be assigned by the written approval of lessor, acting by and through the auditor of state, and the auditor of state has consented to and approved such assignment, it would also seem to be in proper legal form.

Respectfully,

C. C. CRABBE,

*Attorney General.*