

943.

APPROVAL, SEVEN GAME REFUGE LEASES—DISAPPROVAL, THREE.

COLUMBUS, OHIO, September 30, 1929.

HON. J. W. THOMPSON, *Chief, Division of Fish and Game, Columbus, Ohio.*

DEAR SIR:—You have submitted the following leases relating to State Game Refuge:

<i>No.</i>	<i>Lessor</i>	<i>Acreage</i>
2040	Realty Builders, Inc., Warren County, Washington Township--	285.35
2036	Harry T. Lewis, Warren County, Hamilton Township-----	181.78
2032	Robt. D. Laughlin, Portage County, Rootstown Township-----	209
528	Lawson A. Meeker, Henry County, Napoleon Township-----	168.18
471	Walter Bauer, Clermont County, Batavia Township-----	30
507	Louis Bauer, Clermont County, Batavia Township-----	55
2031	P. W. Bosko, Portage County, Rootstown Township-----	82
2049	H. H. Griswold, Director, Dept. of Public Welfare, Summit County, Northfield Township-----	114.96
2050	H. H. Griswold, Director, Dept. of Public Welfare, Cuyahoga County, Bedford Township-----	43.198
2051	H. H. Griswold, Director, Dept. of Public Welfare, Summit County, Northfield Township-----	67

I have found the above leases, with the exception of Leases Nos. 2049, 2050 and 2051 to be in proper legal form, and have endorsed my approval on same.

With respect to the leases above excepted, there is no authority for the Director of Public Welfare to lease state lands for Game Refuge purposes. Section 1435, General Code, provides in part as follows:

*"The conservation council may for a specified period of years prohibit or recall the taking of birds, fish and wild animals, upon public lands or water set aside, with the consent and approval of the governor, or upon private lands set aside with the consent of the owner thereof, for game refuges. * * **"
(Italics the writer's.)

It may thus be seen that the lands to be leased under leases 2049, 2050 and 2051 are public lands (Cleveland State Hospital) and consequently can be set aside as game refuges only with the Governor's consent.

I am returning all of the leases submitted, herewith.

Respectfully,

GILBERT BETTMAN,

Attorney General.

944.

APPROVAL, BONDS OF HIGHLAND COUNTY—\$18,921.45.

COLUMBUS, OHIO, September 30, 1929.

Industrial Commission of Ohio, Columbus, Ohio.