

and 14867-3, relating to badges of honor; section 3069-1, defining those eligible for employment in county memorial buildings; section 2958, relative to markers for soldiers' graves; section 486-10, giving additional credit in civil service examinations; and section 7930-1, providing for free tuition in state universities. According to one canon of construction, it may be argued that the words of limitation contained in these sections being absent from section 2934, the latter section must be construed to include those in the armed forces of other nations. I cannot accept this construction. In my opinion, the legislature inserted the words "of the United States" in the sections referred to out of an abundant caution. It is clear to me that the words "soldiers, sailors and marines", as used in section 2934, without words of qualification or explanation, do not comprehend soldiers, sailors and marines in the service of governments other than the United States.

If the statute as so construed appears to be unjust to a citizen of the United States who joined in the world war as a soldier of Canada without awaiting the organization of the American expeditionary force, the remedy is with the legislature.

Specifically answering your question, I am of the opinion that a citizen of the United States, now a resident of a county in Ohio, who served in the Canadian army during the world war, is not entitled to soldiers' relief under the provisions of section 2930, et seq., of the General Code.

Respectfully,
 JOHN W. BRICKER,
Attorney General.

151.

APPROVAL, LEASE TO RESERVOIR LANDS IN LICKING AND PERRY
 COUNTIES, OHIO.

COLUMBUS, OHIO, February 18, 1933.

HON. EARL H. HANEFELD, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of a 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 a certain reservoir land lease in triplicate which has been executed by the Conservation Commissioner under authority of Section 471 of the General Code, as said section is amended in the Conservation Act, enacted by the 89th General Assembly.

The lease here in question is one executed to the Plymouth Land Company of Ravenna, Ohio, and is for the stated term of fifteen years conditioned on the payment of an annual rental of \$120.00.

Subject to the rights of the Baltimore and Ohio Railroad Company and of certain named individuals who have leases covering small parcels of the land, this lease grants to the Plymouth Land Company the right to use and occupy for public park and docklanding purposes that portion of the state reservoir land lying between a line that is twelve (12) feet back of a contour line two and seven-tenths (2.7) feet above the waste-weir line of Buckeye Lake, and the ordinary water line of said lake, beginning at the westerly line of the lands of the lessee at or near Station 559 plus 93 of W. C. Row's survey along the north shore of Buckeye Lake, and extending thence easterly with the meanderings of said line

twelve (12) feet back of said contour line, 4886 feet, more or less, to the east line of Section 17, Town 19, Range 17, and being located in the east half, and the east half of the west half of said Section 17, in Licking and Perry Counties, Ohio.

Upon examination of this lease, I find that the same has been properly executed by the Conservation Commissioner and the Plymouth Land Company, acting through its secretary, pursuant to the authority conferred upon said officer by the directors of the Plymouth Land Company.

Upon examination of the terms and provisions of this lease, I find the same to be of the kind usually found in leases of this kind, with one exception. In this connection, it is noted that one of the purposes for which the lands here in question are leased to the Plymouth Land Company is that the same may be used for park purposes by the company. Touching this use of the property, the lease in the last paragraph thereof attempts to grant to said lessee and its successors and assigns "the right to exercise, jointly with the State of Ohio, and its authorized agents, police powers over the lands and water front herein leased". Obviously, there is nothing in the statutory provisions relating to the powers and duties of the Conservation Commissioner which authorizes him to delegate to this lessee any part of the police power of the State. This lessee as such and as the owner of any property that it may place upon these lands for use in conducting a public park on these premises will, of course, have the right which any owner of property in like situation would have to protect such property with respect to any lawful purpose or activity carried on by him on such premises. This right the lessee will have wholly aside from the attempted grant to it of police powers by this lease. In other words, this provision of the lease is inoperative and does not in any way affect the other provisions of the lease.

With respect to the matter above discussed, it will be noted that section 475, General Code, as amended in the enactment of the Conservation Act, authorizes the Conservation Commissioner to appoint police patrolmen to preserve order and protect the public on the reservoir and adjacent state lands covered by this lease. Section 479, General Code, as amended in said act, provides in detail for the rules and regulations to be observed by such patrolmen in discharging their duties.

As above indicated, I find the other provisions of this lease to be in conformity with statutory provisions relating to leases of this kind and I am accordingly approving this lease as to legality and form as is evidenced by my approval endorsed thereon and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,
 JOHN W. BRICKER,
Attorney General.

152.

APPROVAL, CONDITIONALLY, BOND FOR THE FAITHFUL PERFORMANCE OF THEIR DUTIES—DOROTHY T. HOGAN, BOOKKEEPER—KNOX P. PRUDEN, AS AUDITOR, IN THE BUREAU OF MOTOR VEHICLES.

COLUMBUS, OHIO, February 18, 1933.

HON. GEORGE S. MYERS, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—You have submitted two bonds, guaranteeing the faithful performance of the duties of Dorothy T. Hogan, as bookkeeper, and Knox P. Pruden,