

162.

APPROVAL—LEASE TO OFFICE ROOMS IN COLUMBUS,  
OHIO.

COLUMBUS, OHIO, February 20, 1937.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination and approval an indenture of lease made and executed by The Western and Southern Life Insurance Company of Cincinnati, Ohio, as lessor, and the State of Ohio, acting through you as Director of Public Works, as lessee, by which there is leased and demised to the State of Ohio as lessee certain premises in the city of Columbus, Ohio, described as being the fifth, sixth and seventh floors of the Peters Building located at 62-68 East Gay Street in said city, together with the storeroom located in the building at 66 East Gay Street.

This lease is one for a term of two years from the first day of January, 1937, to the 31st day of December, 1938, and provides for the payment of an annual rental of \$16,058.75 payable in monthly installments of \$1338.23 each.

Although it does not so appear in the provisions or recitals of this lease, I assume that these premises have been leased by you for the use of the Sales Tax Division of the Tax Commission of Ohio and that the lease is one which you as Director of Public Works are authorized to take under the provisions of Section 154-40, General Code.

This lease has been properly executed by the lessor above named and by yourself as Director of the Department of Public Works on behalf of the State of Ohio. The provisions of this lease are such as are proper in a lease of this kind and do not contravene any statutory provision touching or otherwise affecting the contractual rights of the state or the contractual powers of the state or of its officers. In this connection, it is noted that the lease quite properly provides that the same is made subject to appropriation being made by the legislature of moneys necessary to pay the monthly rentals as they become due and payable under this lease.

Contract encumbrance record No. 6, which accompanies this lease, has been properly executed and the same shows available moneys, not otherwise encumbered, sufficient in amount to pay the rentals due and payable under this lease for the months of January and February, 1937.

This contract encumbrance record is in sufficient compliance with Section 2288-2, General Code.

I am, therefore, approving this lease and the same is herewith returned to you.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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163.

CORONER—OBLIGATORY TO BE INFORMED AS TO CAUSE OF DEATH BEFORE VIEWING BODY—GOOD FAITH EXAMINATION OF BODY DEATH NOT BY UNLAWFUL MEANS—FEE FOR VIEWING BODY.

*SYLLABUS:*

1. *It is obligatory upon the coroner at the time of the original call and before viewing the body, to be informed that death is supposed to have been caused by unlawful or suspicious means.*

2. *If a coroner, acting in good faith and in pursuance of the duties enjoined upon him under and by virtue of section 2856, General Code, views a body whose death upon examination he ascertains was not caused by unlawful or suspicious means, he nevertheless is entitled, in addition to the fee allowed for mileage, a fee for viewing the body as provided for in section 2866, General Code.*

COLUMBUS, OHIO, February 23, 1937.

HON. LESTER W. DONALDSON, *Prosecuting Attorney, Painesville, Ohio.*

DEAR SIR: This will acknowledge receipt of your inquiry of recent date, which reads as follows:

“We are requesting from you the discussion of Section 2856 of the General Code of the State of Ohio, pertaining to inquest and proceedings by coroner.

The statute reads, ‘When informed that the body of a person whose death is supposed to have been caused by unlawful or suspicious means has been found within the county,