

2263.

APPROVAL, CONTRACT FOR ROAD IMPROVEMENT IN HAMILTON,
BUTLER AND OTTAWA COUNTIES AND FINAL RESOLUTIONS FOR
IMPROVEMENT IN LUCAS COUNTY.

COLUMBUS, OHIO, August 26, 1930.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

2264.

LEASE—PRESCRIBED FORM FOR GAME REFUGE.

SYLLABUS:

Form of lease for game refuge prescribed.

COLUMBUS, OHIO, August 28, 1930.

HON. J. W. THOMPSON, *Commissioner, Division of Conservation, Columbus, Ohio.*

DEAR SIR:—I am in receipt of your recent communication requesting approval of a form of state game refuge lease which will conform to the new conservation laws of Ohio.

Upon careful examination of amended Senate Bill No. 265 (113 O. L. 551-592) containing the new conservation laws, I am of the opinion that the old form which you enclosed, with the exception of a few changes hereinafter noted, will suffice.

At the top of the old lease, the words "DIVISION OF FISH AND GAME" should be changed to "DIVISION OF CONSERVATION."

Section 1438-3, General Code, provides, so far as pertinent, as follows:

" * * * and all powers and duties in regard to fish and game now vested in the director of agriculture or the department of agriculture, shall be transferred to and vest in the division of conservation; * * * "

Immediately below, the word "Chief" following the name of John W. Thompson, should be changed to "Commissioner." Section 154-6, General Code, provides in part, that:

"Offices are created within the several departments as follows:

* * * *

In the department of agriculture: Conservation commissioner.

* * * * "

In the fourth line of the lease, the words "Director of Agriculture" should be changed to "the Conservation Council." Section 1435, General Code, provides that:

"The *conservation council* may for a specified period of years prohibit or recall the taking of birds, fish and wild animals, * * ' (Italics the writer's).