

common pleas court, or village or township clerk, as required by sections 1432, 1433, et seq., then the same could be legally promulgated by the conservation council.

As to the question as to whether or not the conservation council could compel a hunter to wear a license button on the back of his clothing or any other place that council might designate, it should be noted that section 1434, quoted in part in your communication, requires that every person "shall while hunting or trapping, carry with him his license and exhibit same to any game protector, constable, sheriff, deputy sheriff, or police officer, or the owner or person in lawful control of the land upon which he may be hunting or trapping or to any person, and failure and refusal to so carry or exhibit his license shall constitute an offense under this section."

The word "exhibit," when used in the above section, does not in my opinion require a continuous display of the license in question, but that upon request of any person mentioned in the above quoted section authorized to demand the same, the license must at that time be displayed.

To hold that the conservation council may compel the wearing of a hunter's license button on the back of the hunter's clothing or elsewhere, would be in effect to allow the conservation council, by rule or regulation, to enact a penal statute. This would be true, since section 1454 of the General Code provides, after setting forth specific penalties for the violation of specific sections, in which section 1434 it not mentioned, that whoever violates any of the other provisions of this chapter of the General Code, unless otherwise provided, shall be fined not less than twenty-five dollars or more than two hundred dollars, and the cost of prosecution, etc.

In view of the foregoing, and in specific answer to your inquiry, I am of the opinion:

1. The conservation council may prepare and furnish hunters' and trappers' licenses in button form so long as the same affords facilities for the placing thereon of the endorsements required by law.

2. The conservation council has no authority to compel a hunter to wear a license button on the back of his clothing or any other place designated by council.

Respectfully,

GILBERT BETTMAN,
Attorney General.

4356.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND ROBERT H. EVANS AND COMPANY, COLUMBUS, OHIO, FOR CONSTRUCTION AND COMPLETION OF ADDITION TO ENGINEERING EXPERIMENT STATION, OHIO STATE UNIVERSITY AT EXPENDITURE OF \$65,102.00—SURETY BOND EXECUTED BY THE UNITED STATES GUARANTEE CO., OF NEW YORK.

COLUMBUS, OHIO, May 25, 1932.

HON T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the Ohio Department of Highways, and the Robert H. Evans & Company of Columbus, Ohio. This con-

tract covers the construction and completion of General Contract (Items 1 to 14) and Elevator, Crane and Gates, and Alternates Nos. 1, 5, 8, 11 and 12 for Addition to Engineering Experiment Station on the campus of Ohio State University, in accordance with the form of proposal dated April 29, 1932. Said contract calls for an expenditure of sixty-five thousand one hundred and two dollars (\$65,102.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also furnished evidence to the effect that the Controlling Board has approved the expenditure in accordance with Section 8 of House Bill No. 624 of the 89th General Assembly. In addition, you have submitted a contract bond, upon which the United States Guarantee Company of New York, N. Y. appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law, and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workmen's compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,
GILBERT BETTMAN,
Attorney General.

4357.

APPROVAL, LEASE TO RESERVOIR LAND AT LAKEVIEW, OHIO, FOR
RIGHT TO USE FOR SLOPE PURPOSES—EDWARD CLARK.

COLUMBUS, OHIO, May 25, 1932.

HON. I. S. GUTHERY, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—There has been submitted for my examination and approval a reservoir land lease in triplicate executed by the conservation commissioner, by which there is leased and demised to one Edward Clark of Lakeview, Ohio, the right to use and occupy for the stated term of fifteen years, the inner slope and water front and the outer slope and state land in the rear thereof, extending back to the state ditch that is included in embankment lot No. 9, north of Stubb's landing at Indian Lake.

Upon examination of this lease, I find that the same has been properly executed by the conservation commissioner and by the lessee above named, and that the terms and conditions of the lease, together with the conditions and restrictions therein contained, are in conformity with the provisions of section 471, General Code, and with those of other sections of the General Code relating to leases of this kind. This lease is accordingly approved by me as to legality and form, as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,
GILBERT BETTMAN,
Attorney General.