

The lease covers the period from the first day of January, 1925, "or as soon thereafter as the building may be ready for occupancy" to the thirtieth day of June, 1925, and requires the payment of the sum of \$105.00 per month in advance. The lease contains the recommendation and approval of H. R. Witter, Director of Industrial Relations.

You have further submitted Encumbrance Estimate No. 8004, which contains the certificate of the Director of Finance, to the effect that funds are available for such purpose.

Finding said lease in proper legal form, you are advised that it is my opinion that the same will be a valid and proper lease when duly executed and delivered.

Respectfully,

C. C. CRABBE,
Attorney General.

2165.

APPROVAL, GRANTING TO THE OHIO FUEL SUPPLY COMPANY OIL AND GAS RIGHTS TO APPROXIMATELY 300 ACRES OF LAND SITUATED IN SECTIONS 16 AND 29, TOWNSHIP 2, RANGE 12, MEIGS COUNTY, OHIO.

COLUMBUS, OHIO, January 22, 1925.

HON. JOSEPH T. TRACY, *Auditor of State, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a lease, in triplicate, executed on January 19, 1925, wherein you have granted to the Ohio Fuel Supply Company the oil and gas rights to approximately 300 acres of land situated in Sections 16 and 29, Township 2, (Sutton), Range 12, Meigs County, Ohio, which are more particularly described therein, said lease having been granted in pursuance to the provisions of Section 3209-1 of the General Code.

Finding said lease in proper legal form, I hereby approve the same as to form, and return the same herewith.

Respectfully,

C. C. CRABBE,
Attorney-General.

2166.

APPROVAL, EIGHT BONDS OF HARRY S. DAY, TO COVER FAITHFUL DISCHARGE OF HIS DUTIES AS CUSTODIAN OF THE FUNDS OF STATE TEACHERS RETIREMENT SYSTEM. SAID BONDS ARE DESIGNATED IN REFERENCE TO SURETIES AND AMOUNT AS FOLLOWS: FIDELITY AND DEPOSIT COMPANY OF MARYLAND, \$100,000.00; NATIONAL SURETY COMPANY, \$150,000.00; COMMERCIAL CASUALTY INSURANCE COMPANY, \$200,000.00; MARYLAND CASUALTY COMPANY, \$50,000.00; FIDELITY & CASUALTY COMPANY OF NEW YORK, \$100,000.00; METROPOLITAN CASUALTY INSURANCE COMPANY, \$100,000.00; AETNA CASUALTY & SURETY COMPANY, \$100,000.00, AND AMERICAN SURETY COMPANY OF NEW YORK, \$200,000.00.

COLUMBUS, OHIO, January 22, 1925.

HON. HARRY S. DAY, *Treasurer of State, Columbus, Ohio.*

DEAR SIR:—You have submitted for my consideration eight bonds, apparently executed under the provisions of Section 7896-13 of the General Code, to cover the

faithful discharge of your duties as custodian of the funds of the State Teachers Retirement System. Said bonds are designated in reference to sureties and amount as follows:

<i>Surety</i>	<i>Amount</i>
Fidelity & Deposit Company of Maryland.....	\$100,000 00
National Surety Company.....	150,000 00
Commercial Casualty Insurance Company.....	200,000 00
Maryland Casualty Company.....	50,000 00
Fidelity & Casualty Company of New York.....	100,000 00
Metropolitan Casualty Insurance Company.....	100,000 00
Aetna Casualty & Surety Company.....	100,000 00
American Surety Company of New York.....	200,000 00

Section 7896-13, which makes you the custodian of the funds of the Teachers Retirement System by virtue of your office, requires the giving of a separate and additional bond "in such amount as may be fixed by the Governor, but not less than the amount of money in all of the funds of the retirement system at the time such bond is fixed."

It is assumed, of course, that the Governor has fixed your bond as required by statute.

Finding said bonds in proper legal form, I have noted my approval thereon as to form, and return the same herewith.

Under the provisions of the section the Governor should approve the sureties, and the bonds should be deposited with the Secretary of State.

Respectfully,

C. C. CRABBE,
Attorney-General.

2167.

DEPUTY MARSHAL IS ENTITLED TO FEES EARNED IN STATE CASES.

SYLLABUS:

Deputy marshals of villages may serve warrants from the courts of the village, in state cases, and are entitled to retain the fees charged for such services for their personal use.

COLUMBUS, OHIO, January 22, 1925.

HON. B. F. McDONALD, *Prohibition Commissioner, Columbus, Ohio.*

DEAR SIR:—This will acknowledge receipt of your letter of recent date, containing the following question:

"Is a deputy marshal who has been duly appointed by the council and who is a resident of the municipality, entitled to fees for serving warrants under the prohibition law, he receiving no salary of any kind from the village?"

In the case of *State ex rel. Nead vs. Nolle, Mayor*, the Supreme Court recently held that section 4270 did not affect a mayor's or marshal's fees in state cases, but that they held such fees for their own personal use.

Section 4387, General Code, reads: