

872.

APPROVAL, DEEDS TO LAND OF ANNA E. CORIELL AND A. A. ATKINSON IN HARRISON TOWNSHIP, SCIOTO COUNTY AND MADISON TOWNSHIP, VINTON COUNTY, FOR FIRE TOWER PURPOSES.

COLUMBUS, OHIO, September 16, 1929.

HON. CARL E. STEEB, *Secretary, Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval two certain warranty deeds, executed by Anna E. Coriell and husband, and by one A. A. Atkinson, unmarried, conveying to the State of Ohio small parcels of real property in Harrison Township, Scioto County and in Madison Township, Vinton County, respectively, which parcels of land are more particularly described in said respective deeds. In each case the conveyance of this property is to the State of Ohio for fire tower purposes as a means of prevention against forest fires, and in each deed the conveyance is conditioned upon the use of the property for this purpose by the state. Each of said conveyances is made to the state by way of gift, and the authority of the state to receive the same subject to the conditions imposed is given in Section 18 of the General Code, which, among other things, provides that the state may receive by gift lands or other property for its benefit and hold and use the same according to the terms and conditions of the gift.

The deeds here submitted have been properly executed and acknowledged and are in form sufficient to convey to the State of Ohio said respective parcels of land for the purpose therein mentioned, and the same are accordingly hereby approved by me.

Respectfully,
GILBERT BETTMAN,
Attorney General.

873.

CRIMINAL—UNDER SUSPENDED SENTENCE—CONVICTED OF ANOTHER CRIME BY DIFFERENT COURT—CONCURRENT RUNNING OF SENTENCES DISCUSSED.

SYLLABUS:

1. *When a person is under sentence for a crime, and is convicted and sentenced for another offense to the same penal institution, by a different court, and the second sentence does not state that the term is to begin at the expiration of the former sentence, the sentences run concurrently, in the absence of statutes providing a different rule.*
2. *Where a prisoner was sentenced in Franklin County, and the execution of the sentence suspended, and he was placed on probation, under the provisions of Section 13706 of the General Code, as that section existed prior to July 21, 1925, the effective date of the so-called Rubenstein Law, and while on probation, the person is convicted in Licking County and sentenced to the Ohio penitentiary, and while he is in the peni-*