

animal mentioned in Section 5809 of the General Code that runs at large contrary to law. My discussion deals solely with the powers and duties of a dog warden and police officer in their respective capacities, as such, under the statutes of Ohio.

Therefore, in specific answer to your inquiry, I am of the opinion that under the statutes of Ohio it is the duty of a dog warden and his deputies to enforce the statutes relative to the licensing of dogs and in so doing seize and impound any dogs found not wearing a valid license tag, and it is the duty of the police officer to enforce the statutes which make it a violation for the owner or person in charge of a dog permitting such dog to run at large in the public road, highway, street, lane or alley or upon uninclosed land.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2242.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND R. S. URSPRUNG, BEREA, OHIO, FOR CONSTRUCTION AND COMPLETION OF OHIO NATIONAL GUARD ARMORY, BEREA, OHIO, AT AN EXPENDITURE OF \$47,000.00—SURETY BOND EXECUTED BY THE AETNA CASUALTY AND SURETY COMPANY, OF HARTFORD, CONNECTICUT.

COLUMBUS, OHIO, August 18, 1930.

HON. A. W. REYNOLDS, *Adjutant General, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by and through Arthur W. Reynolds, Adjutant General and Director of State Armories, and R. S. Ursprung, of Berea, Ohio. This contract covers the construction and completion of the Ohio National Guard Armory, Berea, Ohio, and Alternates 3, 4 and 14 of the form of proposal, July 7, 1930. Said contract calls for an expenditure of forty-seven thousand dollars (\$47,000.00).

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 consent and approval of the Controlling Board to the expenditure have been obtained, as required by Section 11 of House Bill No. 510 of the 88th General Assembly. In addition, you have submitted a contract bond, upon which the Aetna Casualty and Surety Company, of Hartford, Connecticut, 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 have been complied with. The certificate of the Industrial Commission as to compliance with the laws pertaining to the Workmen's Compensation has expired and I am informed that a new certificate cannot be furnished at the present time, for the reason that the said Mr. Ursprung has not yet been billed by the Industrial Commission. A new Industrial Certificate should be obtained before the contractor is permitted to proceed with the work.

Finding said contract and bond in proper legal form, with the exception noted in the last paragraph, I hereby approve the same, conditioned upon the obtaining of

a certificate from the Industrial Commission. I have noted my approval on the contract and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2243.

APPROVAL, LEASE FOR RIGHT TO USE FOR PRIVATE DOCK-LANDING
AND WALKWAY PURPOSES, CERTAIN LAND OF BUCKEYE LAKE
AT THORNPORT, OHIO—ROY HAMMER.

COLUMBUS, OHIO, August 19, 1930.

HON. PERRY L. GREEN, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—There has been submitted for my examination and approval a certain lease in triplicate executed by the State of Ohio through the Conservation Commissioner by which there is leased and demised to one Roy Hammer of Thornville, Ohio, for a term of fifteen years, the right to use and occupy for private dock-landing and walkway purposes that portion of the water front and state land in the rear thereof, of Buckeye Lake at Thornport, Ohio, in the southeast quarter of Section 4, Township 18, Range 17, Perry County, Ohio, and the berme bank and water front of said lake that is included in Lot No. 12, as shown on the recorded plat of the village of Thornport.

The lease here in question, which is one executed by the Conservation Commissioner under the authority of Section 471 of the General Code as amended by the conservation act passed by the 88th General Assembly, calls for an annual rental of six per cent upon the appraised value of the parcel of land covered by the lease.

Upon examination of the provisions of this lease I find that the same is in conformity with the provisions of the section of the General Code above noted and with other statutory provisions relating to leases of this kind. Said lease is accordingly approved by me as to legality and form as is evidenced by my authorized signature upon said lease and upon the duplicate and triplicate copies thereof.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2244.

APPROVAL, LEASE TO CERTAIN PARCEL OF RESERVOIR LAND AT
LAKE LORAMIE, SHELBY COUNTY, OHIO—MRS. JOHN M. MORGAN.

COLUMBUS, OHIO, August 19, 1930.

HON. PERRY L. GREEN, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval a certain reservoir land lease in triplicate executed by the State of Ohio through the Conservation Council by which there is leased and demised to one Mrs. John M. Morgan of Shawnee Township, Allen County, Ohio, a certain parcel of reservoir land at Lake