

eral Code, is a misdemeanor and a person found guilty of a violation of its provisions can not lawfully be sentenced to the Ohio Reformatory for Women.

3. The court of common pleas, by virtue of the provisions of Section 13422-5 of the General Code, has final jurisdiction in felony cases and may try and sentence a female for a violation of Section 13008, which is a felony, to the Ohio State Reformatory for Women.

4. A judge of the court of common pleas, division of domestic relations, when exercising jurisdiction as a common pleas judge, may lawfully try a female charged in an indictment returned by a grand jury for a violation of Section 13008, and upon conviction may sentence such female to the Ohio Reformatory for Women.

5. A judge of the court of common pleas, division of domestic relations, when exercising jurisdiction as a judge of the juvenile court, does not have authority to lawfully sentence a female to the Ohio Reformatory for Women.

6. Where a sheriff delivers a prisoner to the superintendent of the Ohio Reformatory for Women and the copy of the sentence delivered to the superintendent shows fairly upon its face that the prisoner was sentenced for a misdemeanor, the superintendent should refuse to receive such prisoner. However, where the copy of the sentence includes a description of the offense with reasonable certainty and shows upon its face that the court had jurisdiction of the offense and the person, but fails to show whether or not the prisoner was sentenced for a felony or a misdemeanor, the superintendent of the Ohio Reformatory for Women should receive such prisoner.

Respectfully,

GILBERT BETTMAN,
Attorney General.

2841.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND ERWIN F. FREY, COLUMBUS, OHIO, FOR DRAWINGS FOR AND ERECTION OF A MEMORIAL ON SITE OF GEORGE A. CUSTER BIRTHPLACE IN HARRISON COUNTY, OHIO, AT AN EXPENDITURE OF \$10,700.00. SURETY BOND EXECUTED BY GRACE E. FRY AND ALICE E. BLACKER.

COLUMBUS, OHIO, January 19, 1931.

Ohio State Archaeological and Historical Society, Columbus, Ohio.

GENTLEMEN:—You have submitted for my approval a contract between the State of Ohio, acting by the Ohio State Archaeological and Historical Society and Erwin F. Frey, of Columbus, Ohio. This contract covers the preparation of drawings for and erection of a Memorial on the site of the birthplace of George A. Custer, in Harrison County, Ohio. Said contract calls for an expenditure of ten thousand and seven hundred dollars (\$10,700.00).

You have submitted the certificate of the Director of Finance to show that unencumbered funds are available as required by Section 2288-2, General Code.

Although the special act appropriating the money for this contract (H. B. 310, 88th General Assembly, 113 O. L. 623) does not require release of funds by the Controlling Board, it is noted that same has been obtained.

Finally, there is submitted a contract bond upon which Grace E. Fry and Alice E. Blacker appear as personal sureties, in the penal sum of five thousand three hundred and fifty dollars, in accordance with Sections 2365-1 and 2365-2, General Code.

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 BETMAN,
Attorney General.

2842.

APPROVAL, SUPPLEMENTAL RESOLUTION FOR ROAD IMPROVEMENT
IN CUYAHOGA COUNTY, OHIO.

COLUMBUS, OHIO, January 19, 1931.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

2843.

ELECTIVE OFFICERS—DECREASE IN POPULATION OF MUNICIPALITY—
TENURE OF OFFICE WHEN MUNICIPALITY REVERTS FROM CITY
TO VILLAGE—POSITIONS OF ALL APPOINTIVE OFFICERS, CIVIL
SERVICE COMMISSION, POLICEMEN AND FIREMEN ABOLISHED
ON DAY OF CHANGE.

SYLLABUS:

1. *The elective officers of the former city of Dennison will continue to hold their offices until the village officers elected on November 3, 1931, can take office.*
2. *The positions of the members of the civil service commission, Directors of Public Service and Public Safety, policemen and firemen of the former city of Dennison were abolished by operation of law on December 31, 1930.*

COLUMBUS, OHIO, January 20, 1931.

Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.

GENTLEMEN:—I am in receipt of your recent inquiry which reads as follows:

“We are enclosing herewith letter received from Mr. J. R. Hill, City Solicitor of Dennison, Ohio, and are asking for your written opinion on the several questions contained in same with relation to the transmission of a municipality from a city to a village government.”