

4572.

APPROVAL, BONDS OF CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO, \$5,000.00.

COLUMBUS, OHIO, August 22, 1935.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

4573.

CONSERVATION—FISH CAUGHT IN PRIVATE POND—SALE THEREOF—STOCKING PRIVATE POND WITH FISH.

SYLLABUS:

1. *Black bass caught in a private pond in the closed season, and four-inch blue gills caught in a private pond may be legally had in possession either on or off the premises of the owner of such private pond.*

2. *With the exception of carp, sheephead, mullet and grass pike, no fish caught in a private pond may be sold.*

3. *Persons engaged in fishing by angling with reel and rod in a privately owned lake, pond or other body of water which has no communication with any other body of water, through which fish are accustomed to pass, are not required to procure a rod and reel license.*

4. *The stocking of a private pond with fish by the state of Ohio does not give the public the privilege to catch fish therefrom.*

COLUMBUS, OHIO, August 23, 1935.

HON. L. WOODDELL, *Commissioner, Conservation Division, Columbus, Ohio.*

DEAR SIR:—This will acknowledge receipt of your letter of recent date, requesting my opinion as follows:

“I should appreciate receiving your opinion on the following questions:

1. At the present time there seems to be some question as to whether or not it is legal for a person to have a black bass in his possession which was caught in a private pond in May, if such bass is taken off the premises of the private pond where caught.

2. The same question applies to a four-inch bluegill caught in a private pond, in the possession of a person off the premises of the private pond.