

1660.

APPROVAL, BONDS OF PLAIN TOWNSHIP RURAL SCHOOL DISTRICT,
STARK COUNTY, OHIO—\$21,964.62.

COLUMBUS, OHIO, SEPTEMBER 30, 1933.

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

1661.

APPROVAL, NOTES OF NORTH LIMA RURAL SCHOOL DISTRICT, MA-
HONING COUNTY, OHIO—\$4,621.37.

COLUMBUS, OHIO, September, 30, 1933.

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

1662.

APPROVAL, BONDS OF BROWN RURAL SCHOOL DISTRICT, MIAMI
COUNTY, OHIO—\$4,149.89.

COLUMBUS, OHIO, September, 30, 1933.

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

1663.

DISAPPROVAL, GAME REFUGE LEASE IN GREENE COUNTY, OHIO.

COLUMBUS, OHIO, September 30, 1933.

HON. EARL H. HANEFELD, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval the following Game Refuge
Lease, in duplicate:

No.	Lessor	Townships	County	Acres
2195	Antioch College	Miami Cedarville Xenia	Greene	856

Upon examination, I find that the Original Order Sheet and duplicate copy
are not signed by the Conservation Commissioner. Also in the fourth line of the
lease proper and duplicate, the words "Wm. H. Reinhart, Conservation Commis-
sioner, acting for" should be inserted.

I am therefore returning to you the above lease without my approval endorsed thereon.

Respectfully,
JOHN W. BRICKER,
Attorney General.

1664.

JURY CODE—MANNER OF DRAWING JURORS BEFORE MAGISTRATES' COURTS NOT PROVIDED FOR THEREIN.

SYLLABUS:

By virtue of the express provisions of section 11419-39, General Code, the so-called Jury Code does not provide the manner of drawing jurors before magistrates' courts. In criminal cases in which the magistrate has final jurisdiction, the jury is selected in accordance with sections 13424-1, et seq., General Code.

COLUMBUS, OHIO, October 2, 1933.

HON. PAUL T. KLAPP, *Prosecuting Attorney, Troy, Ohio.*

DEAR SIR:—This will acknowledge receipt of your recent request for my opinion, which reads as follows:

"May I have your opinion upon the following subject: Under G. C. 13424-1 and 2, when a Jury Trial is demanded before a magistrate, the magistrate must certify the fact to the Clerk of Courts who was empowered to draw a jury and to certify same to the magistrate. In a case which arose a jury was demanded before a magistrate who certified same to the Clerk, but the Clerk stated that since the new Jury Code was in effect, he had no authority to draw such jury. These questions then arise. In consideration of the sections above cited, and the new jury code:

1. Does the Clerk of Court now have the authority under the old procedure to draw such jury for a magistrate's court in accordance with G. C. Sections 13424-1 and 2?

2. May the magistrate now certify the necessity of a jury trial in his court to the Jury Commissioners and have they the power then to draw such jury?

Your opinion in this regard will be greatly appreciated as it becomes very important particularly since the passage of G. C. 13443."

The new Jury Code referred to in your letter was enacted by the 89th General Assembly and is known as Amended Senate Bill No. 184. This bill enacted sections 11419-1, et seq. It deals with the method of summoning and selecting jurors. However, this Jury Code does not have any effect upon inferior courts such as referred to in your letter. I call your attention to section 11419-39, General Code, which reads as follows:

"Nothing in this act contained shall contravene or affect any section of the General Code relating to jurors in the inferior courts in any county of the state."