

82.

APPROVAL, BONDS OF VILLAGE OF HUBBARD, TRUMBULL COUNTY,  
\$11,219.39.

COLUMBUS, OHIO, February 14, 1927.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*

83.

COUNTY COMMISSIONERS HAVE POWER TO LEASE COUNTY AGRICULTURAL EXPERIMENT FARM FOR OIL AND GAS PURPOSES—  
FUNDS DERIVED SHALL BE USED FOR COUNTY PURPOSES.

## SYLLABUS:

1. *In any county wherein a county agricultural experiment farm has been established under provisions of Sections 1174 to 1177-9, both inclusive, of the General Code, the board of county commissioners of said county, in whom the title to all of the property belonging to the county is vested, by virtue of Section 2486, General Code, has the power to lease said farm for oil and gas purposes, when, in its opinion, the county would be benefited thereby. This power is exclusively in the county commissioners.*

2. *Any funds derived from such lease shall be held and used for county purposes and may be expended for any lawful purpose that the county commissioners determine and direct, including any of those specified in General Code Section 1174-4.*

COLUMBUS, OHIO, February 15, 1927.

HON. VERNER E. METCALF, *Prosecuting Attorney, Marietta, Ohio.*

DEAR SIR:—I am in receipt of your letter of January 28, 1927, wherein you state that the board of county commissioners of Washington county, by provisions of Section 1174, et seq., of the General Code, established a county agricultural experiment farm. Said farm is now being used and operated for experimental purposes as provided by law and the board of county commissioners now desire to lease this farm for oil and gas purposes. You inquire:

1. Has the board of county commissioners of Washington county authority to lease this farm for oil and gas purposes?

2. If they do not have this authority in their own right may the director of the Ohio Agricultural Experiment Station, working in conjunction with the board of county commissioners, lease said farm for oil and gas purposes?

3. If it be legal to lease said farm for oil and gas purposes, may a portion of the rental and royalty be paid to the fund of the experiment farm for operating and maintaining the farm in lieu of being paid into the general fund of the county?

The so-called County Agricultural Experiment Farm Law is found in Sections 1174 to 1177-9, General Code.