

3375.

APPROVAL, LEASE FOR RIGHT TO TAKE WATER FROM OHIO CANAL
FOR HOT-HOUSE IRRIGATION PURPOSES—M. S. YODER AND
IRA D. YODER.

COLUMBUS, OHIO, June 30, 1931.

HON. A. T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of your recent communication with which you enclose for my examination and approval a certain pipe lease, so-called, executed by you as superintendent of public works and as director of said department, by which there is granted to M. S. Yoder and Ira D. Yoder of Barberton, Ohio, the right, for a term of five years to insert a six inch pipe to the level of the Ohio Canal next above lot No. 1 of the summit of said Ohio Canal, and thereby to take from said canal, water for the purpose of hot-house irrigation.

Upon examination of said lease, which is one calling for an annual rental of \$500.00 payable in advance on the first days of May and November of each year during the term of said lease, I find that this lease has been properly executed by you in your official capacity as superintendent of public works, and director of said department, and by the lessees above named. I likewise find that the provisions of said lease and the conditions, limitations and reservations therein set out are in conformity with sections 431 and 14009, General Code, under authority of which this lease is executed, and with other sections of the general code relating to leases of this kind.

I am accordingly approving said lease as to legality and form; and my approval is endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

GILBERT BETTMAN,
Attorney General.

3376.

OHIO SOLDIERS' AND SAILORS' ORPHANS' HOME—WHEN BOARD
OF TRUSTEES MAY DISCHARGE CHILDREN FOR ADOPTION.

SYLLABUS:

Under the provisions of section 1933 of the General Code, and its related sections, the Board of Trustees of the Ohio Soldiers' and Sailors' Orphans' Home may discharge a child admitted thereto for the purpose of permitting said child to be adopted, if in the judgment and discretion of said board said action is for the benefit of the child.

COLUMBUS, OHIO, June 30, 1931.

HON. HAROLD L. HAYS, *Superintendent, Ohio Soldiers' and Sailors' Orphans' Home, Xenia, Ohio.*

DEAR SIR:—Acknowledgment is made of your recent communication which reads:

“We often receive requests for the adoption of children in the Ohio Soldiers' and Sailors' Orphans' Home. According to our understanding of the state law no children are permitted to be adopted from this Home.

The Board of Trustees would like to know if it would be legal to discharge a child for adoption. At the present time we have two requests for adoption and we would appreciate as early an opinion as is possible.”