

2931.

APPROVAL, BONDS OF HIGHLAND COUNTY, OHIO—\$7,800.00.

COLUMBUS, OHIO, February 10, 1931.

Industrial Commission of Ohio, Columbus, Ohio.

2932.

APPROVAL, BONDS OF PIERCE TOWNSHIP RURAL SCHOOL DISTRICT, CLERMONT COUNTY, OHIO—\$20,000.00.

COLUMBUS, OHIO, February 10, 1931.

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

2933.

APPROVAL, BONDS OF NEW MARKET TOWNSHIP RURAL SCHOOL DISTRICT, HIGHLAND COUNTY, OHIO—\$8,000.00.

COLUMBUS, OHIO, February 10, 1931.

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

2934.

APPROVAL, LEASE TO RESERVOIR LAND AT LAKE LORAMIE FOR AGRICULTURAL PURPOSES—HARRY LEHMKUGL.

COLUMBUS, OHIO, February 10, 1931.

HON. I. S. GUTHERY, Director of Agriculture, Columbus, Ohio.

DEAR SIR:—You have submitted to me, through the Division of Conservation, a certain reservoir land lease, executed on behalf of the State, by J. W. Thompson, Conservation Commissioner, acting for and on behalf of the Conservation Council, by which there is leased and demised to one Harry Lehmkuhl, of R. F. D. No. 1, Minster, Ohio, a certain parcel of state reservoir land at Lake Loramie.

This lease, which is one for a term of fifteen years, permits the use of said parcel of land for agricultural purposes, and the annual rental provided for therein is six per cent upon the appraised value of such property, which appraised value is the sum of five hundred dollars (\$500.00).

Upon examination of the provisions of said lease, I find that same was

executed by the Conservation Council pursuant to the authority of Section 472-1, General Code, and that the same is in conformity with the provisions of said section and of other sections of the General Code, relating to leases of this kind.

Said lease is accordingly hereby approved by me as to legality and form and I have endorsed my approval upon said lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

GILBERT BETTMAN,

Attorney General.

2935.

AGENT OF HUMANE SOCIETY—APPOINTMENT—PROBATE JUDGE HAS NO AUTHORITY TO LIMIT HIS APPROVAL OF SUCH APPOINTMENT AS TO TIME—HOW COMPENSATION PAID WHEN JUDGE GIVES ONLY QUALIFIED APPROVAL.

SYLLABUS:

A probate judge has no authority to limit his approval of the appointment of an agent of a humane society to a definite term. When such a qualified approval is given, compensation may be paid to the agent by the county under the provisions of Section 10072 General Code, until the humane society terminates the appointment of such agent.

COLUMBUS, OHIO, February 11, 1931.

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

GENTLEMEN:—Your letter of recent date contains a request for my opinion upon the following:

“When under the provisions of section 10070 G. C., a humane society appoints an agent for the county and such appointment is approved by the Probate Judge for one year—

Question: Does such action of the probate judge limit the time for which such agent may be paid compensation by the county under the provisions of section 10072 G. C., or may the compensation be legally paid after one year?”

Section 10070, General Code, to which you refer, contains the following language:

“Such societies may appoint agents who are residents of the county or municipality for which the appointment is made, for the purpose of prosecuting any persons guilty of an act of cruelty to persons or animals who may arrest any person found violating any provision of this chapter, or any other law for protecting persons or animals or preventing acts of cruelty thereto. Upon making such arrest, such agent shall convey the person so arrested before some court or magistrate having jurisdiction of