

twelve (12) feet back of said contour line, 4886 feet, more or less, to the east line of Section 17, Town 19, Range 17, and being located in the east half, and the east half of the west half of said Section 17, in Licking and Perry Counties, Ohio.

Upon examination of this lease, I find that the same has been properly executed by the Conservation Commissioner and the Plymouth Land Company, acting through its secretary, pursuant to the authority conferred upon said officer by the directors of the Plymouth Land Company.

Upon examination of the terms and provisions of this lease, I find the same to be of the kind usually found in leases of this kind, with one exception. In this connection, it is noted that one of the purposes for which the lands here in question are leased to the Plymouth Land Company is that the same may be used for park purposes by the company. Touching this use of the property, the lease in the last paragraph thereof attempts to grant to said lessee and its successors and assigns "the right to exercise, jointly with the State of Ohio, and its authorized agents, police powers over the lands and water front herein leased". Obviously, there is nothing in the statutory provisions relating to the powers and duties of the Conservation Commissioner which authorizes him to delegate to this lessee any part of the police power of the State. This lessee as such and as the owner of any property that it may place upon these lands for use in conducting a public park on these premises will, of course, have the right which any owner of property in like situation would have to protect such property with respect to any lawful purpose or activity carried on by him on such premises. This right the lessee will have wholly aside from the attempted grant to it of police powers by this lease. In other words, this provision of the lease is inoperative and does not in any way affect the other provisions of the lease.

With respect to the matter above discussed, it will be noted that section 475, General Code, as amended in the enactment of the Conservation Act, authorizes the Conservation Commissioner to appoint police patrolmen to preserve order and protect the public on the reservoir and adjacent state lands covered by this lease. Section 479, General Code, as amended in said act, provides in detail for the rules and regulations to be observed by such patrolmen in discharging their duties.

As above indicated, I find the other provisions of this lease to be in conformity with statutory provisions relating to leases of this kind and I am accordingly approving this lease as to legality and form as is evidenced by my approval endorsed thereon and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

JOHN W. BRICKER,

*Attorney General.*

152.

APPROVAL, CONDITIONALLY, BOND FOR THE FAITHFUL PERFORMANCE OF THEIR DUTIES—DOROTHY T. HOGAN, BOOKKEEPER—KNOX P. PRUDEN, AS AUDITOR, IN THE BUREAU OF MOTOR VEHICLES.

COLUMBUS, OHIO, February 18, 1933.

HON. GEORGE S. MYERS, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—You have submitted two bonds, guaranteeing the faithful performance of the duties of Dorothy T. Hogan, as bookkeeper, and Knox P. Pruden,

as auditor in the Bureau of Motor Vehicles. The bond of Dorothy T. Hogan is executed by the Fidelity and Casualty Company of New York, in the penal sum of twenty-five thousand dollars, and the bond of Knox P. Pruden is executed by the same bonding company in the penal sum of ten thousand dollars.

Section 6290-1, General Code, as last amended (113 O. L. 684), provides in part:

“\* \* \* When in the opinion of the commissioner of motor vehicles, it is deemed advisable, any deputy or other employee may be required to give bond in such amount and with such security as the secretary of state may approve. \* \* \*”

I do not find the signature of Hon. John P. Brennan, Commissioner of Motor Vehicles, has been endorsed on the bonds. This must be done so as to show the approval of the commissioner in accordance with section 6290-1, General Code, supra. Subject to this omission, I find the bond to be in proper legal form. When said omission has been corrected, I will affix my signature to the bonds.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

---

153.

APPROVAL, CONDITIONALLY, BOND FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES AS EXAMINER IN THE BUREAU OF MOTOR VEHICLES—FAY H. SPARGUR.

COLUMBUS, OHIO, February 18, 1933.

HON. GEORGE S. MYERS, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—You have submitted a bond guaranteeing the faithful performance of the duties of Fay H. Spargur, as Examiner in the Bureau of Motor Vehicles. Said bond is executed by the Fidelity and Casualty Company of New York, in the penal sum of ten thousand dollars.

Section 6290-1, General Code, provides in part:

“\* \* \* When in the opinion of the commissioner of motor vehicles, it is deemed advisable, any deputy or other employee may be required to give bond in such amount and with such security as he may approve. \* \* \*”

I do not find that Hon. John P. Brennan, Commissioner of Motor Vehicles, has approved the security or the amount of the security in this case, in accordance with the requirements of the above statutory provision. Otherwise, said bond appears to be in proper legal form. When the signature of the Commissioner of Motor Vehicles is endorsed on said bond, same will be approved by this office.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*