

It will be noted, however, that the Attorney General in said opinion reached a different conclusion as to a sanitary policeman. However, without discussing the exception that was made it is my opinion that by analogy the holding in reference to the health officer would be applicable to a superintendent of parks. It will be obvious that the duty of controlling, managing and supervising parks rests upon the park commissioners. A superintendent evidently would assist the board in performance of its duties.

Therefore, in specific answer to your inquiry you are advised that the position of superintendent of parks may be exempted from the classified service on the grounds that such an employe is an assistant within the meaning of sub-section 8 of section 486-8 of the General Code.

Respectfully,
C. C. CRABBE,
Attorney General.

1302.

APPROVAL, LEASE, MIAMI AND ERIE CANAL LANDS, PIQUA, OHIO.

COLUMBUS, OHIO, March 24, 1924.

Department of Highways and Public Works, Division of Public Works, Columbus, Ohio.

GENTLEMEN:—I have your letter of March 7, 1924, in which you enclosed, among others, the following lease, in triplicate, for my approval:

MIAMI AND ERIE CANAL LANDS

To J. O. and Mary B. Bobb, site for Gasoline Filling Station, Piqua, Ohio Valuation
\$8,333 33

I have carefully examined said lease, find it correct in form and legal, and am therefore returning the same with my approval endorsed thereon.

Respectfully,
C. C. CRABBE,
Attorney General.

1303.

APPROVAL, FORM OF LEASE, WHICH IS TO GRANT ON BEHALF OF THE STATE THE USE OF CERTAIN LANDS THEREIN DESCRIBED TO THE UNITED STATES GOVERNMENT SITUATED IN OTTAWA COUNTY.

COLUMBUS, OHIO, March 26, 1924.

HON. FRANK D. HENDERSON, *Adjutant General of Ohio, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a form of lease, the purpose of which is to grant on behalf of the state the use of certain lands therein described

to the United States government situated in Ottawa County. Consideration for said grant according to the form submitted is the granting by the United States government to the State of Ohio certain lands owned adjacent to said premises by the United States government.

It is understood that the lands described are in the custody and control of the Adjutant General. However, it would seem that there are no powers authorizing the Adjutant General to grant a lease upon premises of this particular character as the premises are not armories.

Subsection 9 of section 154-40 of the General Code authorizes the Director of Highways:

"To lease unproductive and unused lands or other property under the control of the state government, or any department, office or institution thereof, excepting school and ministerial lands."

Inasmuch as there seems to be no power in the Adjutant General to grant this particular kind of a lease I am of the opinion that the section above quoted authorizes the Director of Highways to execute such a lease on behalf of the state. Such a lease, however, should be approved by the Adjutant General under whose custody and control such lands are. It is proper also to have the Governor approve such a lease. It is my opinion that when the said lease is properly executed and delivered there are no legal objections to the same.

Respectfully,
C. C. CRABBE,
Attorney General.

1304.

APPROVAL, BONDS OF CANAAN TOWNSHIP RURAL SCHOOL DISTRICT, WAYNE COUNTY, \$6,000.00, TO MAKE CERTAIN SCHOOL IMPROVEMENTS.

COLUMBUS, OHIO, March 27, 1924.

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

1305.

APPROVAL, BONDS OF WABASH SPECIAL SCHOOL DISTRICT, NO. 7, DARKE COUNTY, \$897.49, TO FUND CERTAIN INDEBTEDNESS.

COLUMBUS, OHIO, March 27, 1924.

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