

1842.

APPROVAL — CANAL LAND LEASE, STATE OF OHIO THROUGH DEPARTMENT OF PUBLIC WORKS TO THE OHIO POWER COMPANY, NEWARK, OHIO, TERM FIFTEEN YEARS, ANNUAL RENTAL \$18.00, RIGHT TO OCCUPY AND USE FOR POLE LINE PURPOSES, CERTAIN DESCRIBED MIAMI AND ERIE CANAL PROPERTY, IN ALLEN AND VAN WERT COUNTIES, DELPHOS, OHIO.

COLUMBUS, OHIO, January 31, 1938.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: You recently submitted for my examination and approval a canal land lease in triplicate executed by you as Superintendent of Public Works and as Director of said department to The Ohio Power Company of Newark, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$18.00, there is leased and demised to the lessee above named the right to occupy and use for pole line purposes that portion of the Miami and Erie Canal property in Allen and Van Wert Counties, Delphos, Ohio, that is described as follows:

1. Three (3) poles and one (1) anchor between stations 4700 +28 and 4702+77, in Van Wert County;
2. Three (3) poles and one (1) anchor between stations 4700 +63 and 4702+97, in Allen County; and
3. One (1) anchor at station 4716+85, in Van Wert County.

Upon examination of this lease, which is one executed by you under the authority of the DeArmond Act, so-called, 114 O. L., 546, I find that the same has been executed by you in your official capacity above stated and by The Ohio Power Company, the lessor, by the hands of its vice-president and secretary, duly authorized in the premises. Assuming, as I do, that the parcel of canal land above described has not been designated by the Director of the Department of Highways for state highway purposes, and that no application for the lease of this property for park purposes has been made by any political subdivision entitled to the lease of the property for such purposes, I find that the provisions of this lease and the conditions and restrictions therein contained are in conformity with the act of the legislature above referred to and with other statutory provisions relating to leases of this kind. I am, accord-

ingly, approving this lease and I am herewith returning the same with my approval endorsed thereon and upon the duplicate and triplicate copies which are likewise herewith enclosed.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

1843.

DEPENDENT CHILDREN — MONEYS PAID INTO COUNTY WELFARE BOARD FOR SUPPORT—SHOULD BE PAID INTO COUNTY TREASURY—REIMBURSEMENT—WHEN LUMP SUM PAID FOR FUTURE CARE AND SUPPORT—DEPOSITORY—SPECIAL FUND CREATED BY SECTION 5625-9 (f) G. C.

SYLLABUS:

1. *Moneys paid into the County Welfare Board for the support of dependent children, which moneys are collected from the parents of such children, should be paid into the county treasury to the credit of the general fund, such payment amounting to a reimbursement of the county fund for public funds expended for the care of dependent children.*
2. *When lump sum payment is made to the County Welfare Board for the future care and support of a dependent child, such fund should be paid into a special fund created under authority of Section 5625-9 (f), General Code, the fund being for the future care of such dependent child.*

COLUMBUS, OHIO, January 31, 1938.

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

GENTLEMEN: This will acknowledge receipt of your request for my opinion, which reads as follows:

“Certain dependent children are committed by the Juvenile Court to the care and custody of the Welfare Board appointed by the county commissioners, as provided in Section 3092, General Code.

This board, through its employees, collects sums of money from the parents for the care of their children.