

4134.

APPROVAL, DEED TO LAND IN LAWRENCE COUNTY, OHIO—EVERETT ROSE—MARY ROSE—SAMUEL ROSE AND LEOTA ROSE.

COLUMBUS, OHIO, March 5, 1932.

HON. CARL E. STEEB, *Secretary, Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—I am in receipt of your letter requesting my opinion as to the validity of a deed executed by Samuel Rose and Leota Rose, his wife, and Everett Rose and Mary Rose, his wife, purporting to convey a tract of 1.28 acres of land in Lawrence County to the state of Ohio as a site for a fire tower. Although said deed is not without some minor irregularities, I am of the opinion that they are not so substantial as to affect its validity and I therefore accord my approval to said instrument.

You have also submitted for my examination an instrument by which The Virginian Joint Stock Land Bank of Charleston, West Virginia, as mortgagee, purports to release and discharge said 1.28 acre tract of land from the operation of a mortgage which is held thereon. I am of the opinion that this instrument constitutes a valid release.

No abstract of title has been submitted to me and I have not therefore undertaken in this opinion to pass upon the status of the title of said tract of land.

Respectfully,

GILBERT BETTMAN,
Attorney General.

4135.

CONSERVATION COMMISSIONER—UNAUTHORIZED TO CANCEL CERTAIN GAME REFUGE LEASES.

SYLLABUS:

Discussion of right of conservation commissioner to cancel certain game refuge leases.

COLUMBUS, OHIO, March 7, 1932.

HON. WILLIAM H. REINHART, *Conservation Commissioner, Columbus, Ohio.*

DEAR SIR:—Acknowledgment is hereby made of the following inquiry:

“Game refuge leases under Section 1435 in the past have been made for a stated number of years, some of them as long as ten years.

Due to constant changes in condition of such leased lands, it becomes unsatisfactory for the purposes for which leased. Therefore, the question arises: Can such leases be terminated by the Conservation Commissioner when such lands are no longer suitable either in part or in whole?

Can part of such leased land be kept and other parcels no longer suitable be cancelled?”