

street improvement bonds, refunding, Series 1937-25, dated January 1, 1937, bearing interest at the rates of 1 to 5% per annum.

From this examination, in the light of the law under authority of which these bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute valid and legal obligations of said city.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

2740.

APPROVAL—RESERVOIR LAND LEASE, STATE OF OHIO THROUGH CONSERVATION COMMISSIONER, TO W. F. LEE AND EFFIE M. LEE OF ST. PARIS, OHIO, TERM FIFTEEN YEARS, ANNUAL RENTAL, \$42.00, RIGHT TO OCCUPY AND USE FOR COTTAGE SITE AND DOCKLANDING PURPOSES, DESIGNATED LAND, RUSSELS POINT, WASHINGTON TOWNSHIP, LOGAN COUNTY, OHIO.

COLUMBUS, OHIO, July 20, 1938.

HON. L. WOODDELL, *Conservation Commissioner, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination and approval a certain reservoir land lease in triplicate, executed by the State of Ohio through you as Conservation Commissioner to W. F. Lee and Effie M. Lee of St. Paris, Ohio,

By this lease, which is one for a term of fifteen years and which provides for an annual rental of \$42.00, there is leased and demised to the lessees above named, the right to occupy and use for cottage site and docklanding purposes only, that portion of the newly made land formed by dredging the shallow water immediately west of Lot No. 30, of A. B. Jones' allotment of State lands at Russels Point, in Washington Township, Logan County, Ohio, and being a strip of ground 168 feet long on its easterly line and 172 feet on the westerly line thereof, measured along the contour of the ordinary water line of Indian Lake, and being approximately 45 feet wide at its southerly end and 70 feet wide at its northerly end.

Upon examination of this lease, I find that the same have been properly executed by you as Conservation Commissioner and by said lessees. I further find, upon consideration of provisions of this lease

and of the conditions and restrictions therein contained, that the same are in conformity with Section 471, General Code, under authority of which this lease is executed, and with other statutory enactments relating to leases of this kind.

I am accordingly approving this lease as to legality and form, as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

2741.

CONSERVATION COMMISSIONER—SECTION 1450 G. C. INTERPRETED—WHERE AUTOMOBILE DECLARED FORFEITED TO STATE—DISPOSITION—WORDS “OR OTHER DEVICE” HAVE GENERAL IMPORT—MEAN PROPERTY OF TYPE SIMILAR TO THAT PARTICULARLY DESCRIBED—AUTOMOBILE USED TO UNLAWFULLY KILL RING-NECK PHEASANTS OUT OF SEASON—PROPERTY STATUS—STATUTE OF LIMITATIONS—JUDGMENT.

SYLLABUS:

1. *The words “or other device”, as the same appear in Section 1450, General Code, being words of general import, must be construed as to include within their meaning, only property of a type similar to that particularly described in this section.*

2. *An automobile used in the unlawful killing of ring-neck pheasants out of season, can not be considered as property included within the meaning of the words “or other device,” as used in Section 1450 of the General Code, so as to subject such property to forfeiture upon a person’s plea of guilty to the use thereof in the unlawful killing of game out of season.*

3. *Where a person fails, within the time prescribed by statute, to avail himself of the remedy provided by law for a review of an erroneous judgment rendered by a court of competent jurisdiction, such judgment has all the force and effect of a legal judgment and is binding upon all the parties affected thereby.*