

truck transportation. Such a company would be a "carrier by motor vehicle" as part of the service to be rendered consists of motor vehicle transportation and therefore, in my opinion, would be required to qualify in the same manner as other motor vehicle carriers in order to obtain an H permit. The rule of statutory construction above recited that exemptions from general laws must be strictly construed, also pertains in this instance. Applying it, the conclusion is inescapable that the exemption of carriers by rail does not include carriers transporting by rail and motor vehicle. It is natural to presume that if the legislature intended to include other than those providing service of transportation solely by rail, it would have specifically described them.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

804.

APPROVAL—BONDS OF VILLAGE OF FAIRVIEW, CUYA-
HOGA COUNTY, OHIO \$56,150.00 (Partly Limited and Partly
Unlimited).

COLUMBUS, OHIO, June 30, 1937.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.
GENTLEMEN:

RE: Bonds of Village of Fairview, Cuyahoga County,
Ohio, \$56,150.00 (Partly Limited and Partly
Unlimited).

I have examined the transcripts relative to the above bonds purchased by you. These bonds comprise part of three issues of bonds of the above village dated October 1, 1936, bearing interest at the rate of 4% per annum, as follows: Special assessment refunding bonds in the aggregate amount of \$260,975; general refunding bonds in the aggregate amount of \$12,000; and general refunding bonds in the aggregate amount of \$8,550.

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 a valid and legal obligation of said village.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

805.

APPROVAL—TRANSCRIPT OF PROCEEDINGS RELATING TO
THE SALE OF OHIO CANAL LANDS IN NEWARK, OHIO,
TO FRANK L. STARE, SR., OF THAT CITY.

COLUMBUS, OHIO, June 30, 1937.

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

DEAR SIR: This is to acknowledge the receipt of your recent communication with which you submit for my examination and approval a transcript of your proceedings as Superintendent of Public Works and as Director of said department, relating to the sale of a parcel of abandoned Ohio Canal lands in Newark, Ohio, to one Frank L. Stare, Sr., of that city, for and in consideration of the payment of the sum of \$100.00 which, as determined by you, is the appraised value of the property.

The property here in question is located in Newark Township, Licking County, Ohio, and is more particularly described as follows:

Beginning at the intersection of the center line of Ramp Creek with the easterly line of said canal property, said point of intersection being at right angles to the transit line at Station 277÷64.5 of W. H. Heiby's survey of said canal property; thence southwesterly with the said state property line a distance of 600 feet, more or less, to the intersection of the said state property line with the easterly line of the State Highway No. 359 (being State Route No. 79) as relocated and constructed in 1932, said point of intersection being at right angles to and at or near the transit line at Station 283÷58 of said W. H. Heiby's survey; thence northeasterly with the easterly line of said State Highway to the center line of Ramp Creek; thence southeasterly along said center line a distance of 70 feet, more or less, to the place of beginning, and containing sixty-three hundredths (0.63) acres, more or less.