

same are in conformity with the Act of the legislature above referred to, and with other statutes relating to leases of this kind.

In this connection I note that this lease is granted subject to the provisions of Amended Substitute Senate Bill 69 enacted as law by the 89th General Assembly (114 O. L. 518) which provides generally for the use of such canal lands for public park purposes if application therefor is made by a political subdivision of the kind mentioned in this act, within two years of the effective date thereof.

This lease is approved by me as to legality and form and I am herewith returning the same to you with my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*

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4747.

APPROVAL, LEASE TO ABANDONED OHIO CANAL LANDS IN TUSCARAWAS COUNTY, OHIO, FOR RIGHT TO USE FOR FISH HATCHERY PURPOSES.

COLUMBUS, OHIO, November 17, 1932.

HON. T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval a certain lease in triplicate executed by you, as Superintendent of Public Works and as Director of said department, by which lease there is leased and demised to the Division of Conservation of the Department of Agriculture, for a term of fifteen years, the right to occupy and use for the purposes of a fish hatchery, that portion of the abandoned Ohio canal, including the full width of the bed and banks thereof, situated in Lawrence Township, Tuscarawas County, Ohio, which parcel of canal land so leased, is more particularly described as follows:

“Beginning at the southerly right-of-way line produced across said canal property of The Wheeling and Lake Erie Railroad, said right-of-way crossing the transit line of the G. F. Silliman survey of said canal property, at or near Station 1023-86, and running thence southeasterly with the lines of said canal property, thirteen hundred and fourteen (1314') feet, more or less, as measured along said transit line to Station 1037, excepting therefrom any portion of said property now occupied by the State Highway.”

This lease, which provides for an annual rental of Twelve Dollars, during the term of the lease above noted, has been executed by you under the authority of Amended Substitute Senate Bill 72, which was enacted as law by the 89th General Assembly, April 9, 1931; and the lease is granted subject to the provisions of said act and of Amended Substitute Senate Bill 69, enacted by the 89th General Assembly under date of April 22, 1931, which provides generally for the use of abandoned canal lands for park purposes when application therefor is made in the manner and within the time provided for in said act.

Upon examination of this lease I find that the same has been properly executed by you as Superintendent of Public Works as Director of said department and by the Division of Conservation acting by and through the Conservation Commissioner pursuant to a resolution of the Conservation Council adopted September 28, 1932.

Assuming, as I must, that no application for the lease of the parcel of abandoned canal land above described has been made by any corporation or person having prior rights with respect to the lease of this property under Section 8 of said Amended Substitute Senate Bill 72, I find that this lease and the provisions and conditions thereof are in conformity with said act of the 89th General Assembly and with other statutes relating to the execution of 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,

GILBERT BETTMAN,  
*Attorney General.*

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4748.

APPROVAL, LEASE FOR RIGHT TO INSERT PIPE INTO LEVEL OF  
MIAMI AND ERIE CANAL ABOVE LOCK NO. 12 IN CITY OF ST.  
MARYS, OHIO—CRANE AND McMAHON, INC.

COLUMBUS, OHIO, November 17, 1932.

HON. T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval, a certain lease in triplicate by the terms and provisions of which there is granted to Crane and McMahon, Inc., of St. Marys, Ohio, the right to insert a three inch pipe into the level of the Miami and Erie Canal above Lock No. 12, in the City of St. Marys, Ohio, and to take therefrom such water as may be needed by said lessee for the purpose of generating steam for a period of five years from November 1, 1932, for the use of the water taken by the means and for the purpose above stated. The lessee is to pay to the State of Ohio the sum of Two Hundred Sixteen (\$216.00) Dollars annually during the term of said lease, such payments to be made semi-annually, on the first days of May and November of each year.

Upon examination of this lease I find that the same has been properly executed by you and Crane and McMahon, Inc., and by Thomas A. White, its president, acting pursuant to the authority of a resolution of the board of directors of said company.

This lease is executed by you pursuant to the authority conferred upon you by Sections 433 and 14009 of the General Code; and upon examination of the terms and provisions of this lease I find the same to be in conformity with said sections of the General Code. I am accordingly approving this lease as to legality and form, as is evidenced by my approval endorsed upon the lease and