

This bill does not relate to public schools and there is no other provision in the Constitution of Ohio to the effect that a law may become operative upon the approval of the governor, other than his veto power. The trouble here lies in the fact that in this bill the approval of the governor comes after he has exercised his power to veto or sign.

The bill may be passed and signed, or it may be vetoed and passed over the governor's head by the General Assembly. In either event, it goes to sleep until it is awakened by the declaration of the Governor to the effect that he has found the facts in actual existence to make the enactment operative.

I am therefore of opinion that the proposed bill is violative of Section 26, Article II, of the Constitution of Ohio.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

270.

APPROVAL, LEASE OF CANAL LANDS IN HAMILTON TOWNSHIP, FRANKLIN COUNTY, OHIO—CLARENCE LLOYD.

COLUMBUS, OHIO, March 17, 1937.

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 one Clarence Lloyd of Columbus, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$16.00, there is leased and demised to said lessee the right to occupy and use for residence and agricultural purposes that portion of the abandoned Ohio Canal including the full width of the bed and banks thereof located in Hamilton Township, Franklin County, Ohio, and described as follows:

Beginning at station 2270+08.5, of W. J. Slavin's survey of said canal and running thence westerly with the lines of said canal property sixteen hundred thirty-eight (1638') feet to

station 2286+46, and containing three and fifteen hundredths (3.15) acres, more or less.

Without having at hand an appropriate plat of the canal at this point, I am unable to determine from the description of the parcel of land covered by this lease whether the same is a part of the Ohio Canal abandoned by the Act of June 7, 1911, 102 O. L., 293, or is a part of that section of the canal known as the Columbus Feeder to the Ohio Canal which was abandoned for canal purposes by the Act of June 8, 1911, 102 O. L., 318. I assume, however, from your reference to the Ohio Canal in your description of the property in the lease that the same is a part of the Ohio Canal proper rather than of the Columbus Feeder to the Ohio Canal. In either event, however, your statutory authority to execute a lease of the parcel of canal land here in question is the same and is such as to cover the terms and provisions of this lease as the same is executed.

This lease and the duplicate and triplicate copies thereof have been properly executed by you as Superintendent of Public Works and as Director of said department, acting on behalf of the state of Ohio, and by Clarence Lloyd, the lessee therein named.

The provisions of the lease and the conditions and restrictions therein contained are such as are in conformity with the statutory provisions above noted and with the 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.

271.

APPROVAL, LEASE OF ABANDONED OHIO AND ERIE
CANAL LANDS IN HANOVER TOWNSHIP, LICKING
COUNTY, OHIO—B. H. FRASCH.

COLUMBUS, OHIO, March 17, 1937.

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

DEAR SIR:—You have submitted for my examination and approval