

(3,000') feet to station 2353, of G. F. Silliman's Survey of the Ohio Canal through Tuscarawas County, Ohio, made under the direction of the state board of Public Works in the summer of 1911, and containing four (4) acres, more or less.

Upon examination of this lease, which is executed by you under authority of an Act of the 89th General Assembly enacted April 29, 1931, 114 O. L., 541, I find that the same has been executed by you in your official capacity above stated and by The Ross Clay Product Company, by the hand of its Secretary acting pursuant to the authority conferred upon him by a resolution of the Board of Directors of said company duly adopted under date of November 8, 1937.

Assuming, as I do, that this property has not been designated for state highway purposes and that no application for the lease of the same has been made by any of the corporations or persons having prior rights to the lease of this property under Section 8 of said Act, I find that the terms and provisions of this lease and the conditions and restrictions therein contained are in conformity with the above mentioned Act of the legislature and with other related statutes. I am, therefore, approving this lease, as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

HERBERT S. DUFFY,

Attorney General.

1586.

APPROVAL — CANAL LAND LEASE EXECUTED BY THE STATE OF OHIO TO THE NEW YORK CENTRAL RAILROAD COMPANY CERTAIN PARCELS OF ABANDONED MIAMI AND ERIE CANAL LANDS.

COLUMBUS, OHIO, December 8, 1937.

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

DEAR SIR: This is to acknowledge receipt of your recent communication with which you submit 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 in and by which in consideration of the payment to the State of Ohio of an annual rental of \$100.00, there is leased and demised to The New York Central Railroad Company for switch track purposes for the term of fifteen years two parcels of abandoned Miami and Erie Canal lands containing 19,142 square feet and 1,094 square feet, respectively; said parcels of canal land being located in the village of St. Marys, Auglaize County, Ohio, and being more particularly described in said lease instrument.

This lease is one executed by you under the authority conferred upon you as Superintendent of Public Works by the DeArmond Act, so-called, 114 O. L., 546, and by Section 13965, General Code.

Upon examination of this lease, I find that the same has been executed by you for and in the name of the State of Ohio and by The New York Central Railroad Company, by the hands of its President and Secretary acting pursuant to the authority conferred upon them by a resolution of the Executive Committee of said Company, all in the manner required by law.

I further find that the provisions of this lease and the conditions and restrictions therein contained are in conformity with the statutory provisions above noted and with all other statutory enactments relating to canal land leases. 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 enclosed.

Respectfully,

HERBERT S. DUFFY,

Attorney General.

1587.

APPROVAL—CANAL LAND LEASE EXECUTED BY THE
STATE OF OHIO TO WILBY BAUER OF WAVERLY, OHIO.

COLUMBUS, OHIO, December 8, 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 in your official capacity