

I have examined this lease and I find that the same has been properly executed by you in your official capacity as Superintendent of Public Works and as Director of this department and by Amy H. Wood, the lessee therein named. I also find, upon examination of the provisions of the lease and of the conditions and restrictions therein contained, that the same are in conformity with the provisions of the DeArmond Act and of other related statutory enactments providing for the lease of Miami and Erie Canal lands, and with other statutory provisions relating generally to the execution of 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, which are herewith returned.

Respectfully,  
 JOHN W. BRICKER,  
*Attorney General.*

2903.

APPROVAL--CANAL LAND LEASE IN STARR TOWNSHIP, HOCKING COUNTY, OHIO, FOR THE RIGHT TO OCCUPY AND USE FOR AGRICULTURAL PURPOSES--WILLIAM ARBAUGH.

COLUMBUS, OHIO, July 9, 1934.

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

DEAR SIR:—You have submitted for my examination and approval a canal land lease executed by you as Superintendent of Public Works and as Director of such department to one William Arbaugh of Nelsonville, Ohio. This lease is one for a term of fifteen years and provides for an annual rental of \$7.50. By the terms of this lease instrument, there is leased and demised to the lessee above named the right to occupy and use for agricultural purposes that portion of the abandoned Hocking Canal located in Starr Township, Hocking County, Ohio, which is more particularly described in the lease as follows:

Being all of that portion of the said abandoned canal property lying between the southerly line of said abandoned canal property and the southerly line of State Highway No. 155 (Being State Route No. 31), as established by the Department of Highways of the State of Ohio, beginning at a line drawn through Station 1971 of the Bruce Doughton survey of said canal property and extending easterly 1,300 feet, as measured along the transit line of said survey to station 1981, being at a point one hundred thirty-five (135') feet west of the west end of Lock No. 20, also beginning at a line drawn through Station 1988, being one hundred forty-five (145') feet east of the easterly end of said Lock 20, and running thence easterly three hundred forty-two (342') feet, more or less, to the easterly line produced of the lands of the grantee herein and containing one and two-tenths (1.2) acres, more or less, see plats 23 and 24, Bruce Doughton's survey of said canal property, on file at the office of Public Works, at Columbus, Ohio.

This lease is one executed by you under the authority of House Bill No. 417, enacted by the 88th General Assembly under date of April 5, 1929, the provisions of which act have been carried into the General Code by designation as sections 14152-3, 14152-3a and 14152-9a. By this act the Superintendent of Public Works of Ohio as Director of such department is authorized to lease or sell, as you deem for the best interests of the state, abandoned Hocking Canal lands in Fairfield, Hocking and Athens Counties, such leases when executed to be in accordance with the provisions of section 13965, et seq., General Code.

Upon examination of this lease, I find that the same has been properly executed by you as Superintendent of Public Works and as Director of this department and by William Arbaugh, the lessee therein named. I also find, upon examination of the provisions of this lease and of the conditions and restrictions therein contained, that the same are in conformity with the statutory provisions above noted. 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,

JOHN W. BRICKER,  
*Attorney General.*

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2904

APPROVAL—TWO BONDS FOR THE FAITHFUL PERFORMANCE OF  
THEIR DUTIES AS INVESTIGATORS FOR THE DEPARTMENT OF  
HIGHWAYS—FRANK M. QUINN, DON E. LOOMIS.

COLUMBUS, OHIO, July 9, 1934.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted two bonds, each in the penal sum of \$2,000.00, with sureties as indicated, to cover the faithful performance of the duties of the officials as hereinafter named:

Frank M. Quinn, Investigator, Department of Highways—New York Casualty Company.

Don E. Loomis, Investigator, Department of Highways—New York Casualty Company.

Said bonds have undoubtedly been executed pursuant to the provisions of sections 1182-2 and 1182-3, General Code. Such sections provide, in so far as pertinent here:

“Sec. 1182-2. The director may appoint \* \* \* engineers, inspectors and other employes within the limits of the appropriation as he may deem necessary to fully carry out the provisions of this act. \* \* \*”

“Sec. 1182-3. Each employe or appointee under the provisions of this act, in cases other than where the amount of the bond is herein fixed, may be required to give bond in such sum as the director may