

of 90 days after the expiration of one year from the effective date of the act.

On these assumptions and subject to the correction to be made in the execution of the lease above noted, the same is hereby approved by me 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 to you.

Respectfully,
JOHN W. BRICKER,
Attorney General.

2582.

APPROVAL—LEASE EXECUTED TO THE BABCOCK AND WILCOX
COMPANY, BARBERTON, OHIO, FOR THE PRIVILEGE OF IN-
SERTING A PIPE LINE IN THE ERIE CANAL.

COLUMBUS, OHIO, April 26, 1934.

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 to The Babcock and Wilcox Company, Barberton, Ohio.

By this lease, which is one for a stated term of five years from May 1, 1933, executed as a renewal of a former lease, there is granted and demised to said lessee the right and privilege of inserting into the level of the Ohio and Erie Canal, above Lock No. 1 and South of Portage Summit at Barberton, Ohio, a six-inch pipe for the purpose of drawing from the Ohio and Erie canal at this point water for manufacturing and fire protection purposes.

The annual rental reserved in this lease is the sum of \$564.00, payable in semi-annual installments with the provision that all water withdrawn from said canal, in excess of 58 million gallons, shall be paid for at the rate of 8 mills per thousand gallons.

This lease is one executed by you, as Superintendent of Public Works, under the authority conferred by Section 14009 General Code and the provisions of the lease are in conformity to the provisions of this section and of other statutory enactments relating to leases of this kind. In as much as the lease has been properly executed by you in your official capacity and by the lessee therein named, by the hand of its president, pursuant to the authority of a resolution by the board of directors of said company, this lease is hereby approved by me 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 hereby returned.

Respectfully,
JOHN W. BRICKER,
Attorney General.