

pending any application for the lease of this property which would make this lease to John F. Sprague in any respect illegal.

With this assumption I 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 referred to, and with other statutes relating to leases of this kind. And since it appears that this lease has been executed by you as Superintendent of Public Works and as Director of said department, and by John F. Sprague, the lessee therein named, in the manner provided by law, I am approving this lease as is evidenced by my approval endorsed thereon and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

THOMAS J. HERBERT,

Attorney General.

1443.

LEASE—CANAL LAND, STATE TO CHARLES M. DRAKE AND ANNA B. DRAKE, MIAMI AND ERIE CANAL, PROXIMITY LOT 888, TROY, MIAMI COUNTY.

COLUMBUS, OHIO, November 17, 1939.

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

DEAR SIR: You have 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 Charles M. Drake and Anna B. Drake, of Troy, Ohio.

By this lease, which is one for a stated period of fifteen years, and which provides for an annual rental of \$15.00, there is leased and demised to the lessees above named, the right to use and occupy and use for lawn and garage purposes that portion of the abandoned Miami and Erie Canal property, located in the City of Troy, Miami County, Ohio, and described as follows:

“Beginning at the point of intersection of the northerly line of said canal property and the easterly line of that part of Lot No. 888, in said city as now owned by the grantees herein, said point being 278 feet, more or less, westerly, as measured parallel to Canal Street, from the westerly line of Market Street, and running thence southerly with the said easterly line produced, forty-four (44') feet; thence westerly parallel with Canal Street, fifty-six and one-half (56½') feet to the westerly line produced of the said part of Lot No. 888; thence northerly with the said

westerly line produced, forty-four (44') feet to the said northerly line of said canal property; thence easterly with the said northerly line fifty-six and one-half (56½') feet to the place of beginning and containing two thousand four hundred eighty-six (2,486) square feet. Reference is made to Plat No. 180, of S. A. Buchanan's Survey."

Upon examination of this lease, which is one executed by you under the authority of the DeArmand Act, so-called, 114 Ohio Laws 546, I find that the same has been executed by you in your official capacity above stated and by Charles M. Drake and Anna B. Drake, the lessees therein named, in the manner provided by law.

Attached to said lease, I find a release from the Highway Department indicating that the above described premises will not be needed for highway purposes.

I find that the provisions of this lease and the conditions and restrictions therein contained are in conformity with the act of the legislature above referred to, and with other statutory provisions relating to leases of this kind. I am, accordingly approving this lease and I am herewith returning the same with my approval endorsed thereon, and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1444.

NOTES—LICKING COUNTY POOR RELIEF, \$48,500.00.

COLUMBUS, OHIO, November 18, 1939.

The Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN:

RE: Licking County Poor Relief Notes, \$48,500.

I have examined the transcript of proceedings relative to the above notes purchased by you. These notes comprise part of an issue of poor relief notes in the aggregate amount of \$76,500, dated August 1, 1939, and bearing interest at the rate of 2¼ per cent per annum.

From this examination, in the light of the law under authority of which the above bonds have been authorized, I am of the opinion that