

2115.

DISAPPROVAL, BONDS OF HUNTINGTON TOWNSHIP RURAL SCHOOL DISTRICT, ROSS COUNTY—\$2,000.00.

COLUMBUS, OHIO, May 17, 1928.

Re: Bonds of Huntington Township Rural School District, Ross County—\$2,000.00.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

GENTLEMEN:—I have examined the transcript of the proceedings of the board of education and other officers of Huntington Township Rural School District relative to the above issue of bonds, which are being issued without the authority of a vote of the people, and desire to call your attention to the following:

Included in the transcript is a financial statement which shows that the assessed valuation of all the property in the school district at the time of passage of the bond resolution was \$1,026,840.00.

By the terms of Section 2293-15, General Code (112 O. L. 364,370), the net indebtedness created or incurred by any school district without a vote of the people shall never exceed one-tenth of one per cent of the value of all property in the school district as listed and assessed for taxation. The amount of the above bond issue clearly exceeds one-tenth of one per cent of the value of all property in the school district as listed and assessed for taxation, and I am therefore of the opinion that no authority exists to issue the above bonds without a vote of the people.

There are other defects in the transcript, but in view of what has been said above, I am compelled to advise you not to purchase the above issue of bonds.

I am returning the transcript covering the above issue to you herewith.

Respectfully,
EDWARD C. TURNER,
Attorney General.

2116.

APPROVAL, DEED TO LAND OF CAMPUS MARTIUS SQUARE, IN THE CITY OF MARIETTA, WASHINGTON COUNTY, OHIO.

COLUMBUS, OHIO, May 17, 1928.

HON. H. C. SHETRONE, *Director Ohio State Archacological and Historical Society, Columbus, Ohio.*

DEAR SIR:—There has been submitted to this department for inspection and approval the deed herewith enclosed, in and by which there is conveyed to the State of Ohio certain real property situated in the city of Marietta, Washington County, Ohio, the same being the northeasterly part of Campus Martius Square, and more particularly described as follows:

“Beginning at the northeast corner of said Square at the corner of Second and St. Clair Streets; thence extending southerly on the line of Second Street eighty-one (81) feet, more or less, to that part of said Square owned

by the State of Ohio; thence westerly parallel with St. Clair Street thirty-one (31) feet, more or less, to the Kuehn lot; thence northerly parallel with Second Street along the line of the Kuehn lot eighty-one (81) feet, more or less, to St. Clair Street; thence easterly on the line of St. Clair Street thirty-one (31) feet, more or less, to the place of beginning; said premises including what was known as Block House Lot III, as shown by the original plat at Campus Martius Square recorded on page 153 of the record of Ohio Company's lands; being the same premises conveyed by Joseph C. Brenan and wife to the said grantors by deed dated May 8, 1928."

This deed, which is signed by Helen C. Hill Sloan, Trustee, representing Marietta Local Circle of Colonial Dames of America in the State of Ohio, Mary Dawes Beach, Trustee, representing the Washington County Pioneer Association, Rowena Buell, Trustee, representing the Woman's Centennial Association of Washington County, Ohio, and Katherine Parr Nye, Trustee, representing the Marietta Chapter National Society Daughters of the American Revolution, conveys the above described property to the State of Ohio in pursuance of the trust under which said grantors hold title to said above described premises, to be used for the same purpose as is made of Campus Martius proper, acquired by the state under authority of the act of March 21, 1917, 107 O. L. 615. An examination of said deed so submitted shows that the same has been properly executed and acknowledged by the above named grantors and that the same is in form sufficient to convey a fee simple title to the above described premises to the State of Ohio for the uses and purposes therein mentioned, and said deed is accordingly herewith approved.

Said act above referred to, authorizing the purchase of the original Campus Martius site, provided that the deeds therefor should be approved by the Governor and the Attorney General. It is suggested, therefore, that in addition to the approval of the Attorney General herewith endorsed, the approval of this deed by the Governor be secured and endorsed thereon. After this is done, said deed should be filed with the Recorder of Washington County, Ohio, for record and then deposited with the Auditor of State, as required by the provisions of Section 267, General Code.

Respectfully,
EDWARD C. TURNER,
Attorney General.

2117.

CANAL—ABANDONMENT—MIAMI AND ERIE CANAL DIRECTOR OF HIGHWAYS CUSTODIAN OF CANAL AND LANDS ADJACENT—MUST BE USED FOR HIGHWAY PURPOSES.

SYLLABUS:

Under the provisions of the act of April 21, 1927, 112 O. L. 388, providing for the abandonment of that portion of the Miami and Erie Canal from a point 500 feet north of the state dam near the corporation line of the city of Middletown, Butler County, Ohio, to the terminus of said canal at St. Bernard in the city of Cincinnati, Hamilton County, Ohio, for highway purposes, the Director of Highways is invested with the custody and control, for the purposes of said act, of not only the canal property abandoned by said act, but also all lands of the State of Ohio adjacent thereto,