

6151.

APPROVAL—LEASE FOR RIGHT TO MAINTAIN GAS PIPE LINE ON OHIO CANAL PROPERTY AT NEWCOMERSTOWN, TUSCARAWAS COUNTY, OHIO—OHIO FUEL GAS COMPANY OF COLUMBUS, OHIO.

COLUMBUS, OHIO, October 5, 1936.

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 in and by which, in consideration of the payment of an annual rental of \$30.00, there is leased and demised to The Ohio Fuel Gas Company of Columbus, Ohio, for a stated term of fifteen years, the right to maintain a natural gas pipe line on the Ohio Canal property at Newcomerstown, Tuscarawas County, Ohio, the part of said canal property to be occupied by said pipe line being described in the lease as follows:

So much of the outer margin of the berme bank of the Ohio Canal as is necessary to maintain a gas pipe line on said berme bank, commencing at a point one hundred ten (110') feet west of the westerly line of Bridge Street, in the village of Newcomerstown and running thence westerly along the outer margin of the berme embankment, a distance of thirteen hundred and twenty-six (1326') feet to the culvert under the Ohio Canal immediately north of Lock No. 21 of said Ohio Canal numbered south from Portage Summit.

It appears that this lease is a renewal of a lease granted The Newcomerstown Gas Company under date of September 7, 1921, for a period of fifteen years, which lease is now owned and held by The Ohio Fuel Gas Company.

Upon examination of this lease, I find that the same has been properly executed by you and by The Ohio Fuel Gas Company by the hand of its Vice President, acting pursuant to the authority of a resolution of the Board of Directors of said company duly adopted under date of September 21, 1936.

Upon examination of the provisions of this lease and of the conditions and restrictions therein contained, I find that the same are in conformity with the provisions of Section 13970, General Code, and with the provisions of Amended Substitute Senate Bill No. 72, enacted by

the 89th General Assembly, 114 O. L., 541, providing for the abandonment for canal purposes of that portion of the Ohio Canal and of lateral canals and feeders connected therewith lying within Tuscarawas, Coshoc-ton and Muskingum Counties, Ohio.

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.

6152.

SCHOOLS—QUESTION OF CENTRALIZATION MAY BE SUBMITTED TO ELECTORS OF DISTRICT AS IT NOW EXISTS—DISREGARDING PREVIOUS TRANSFER OF TERRITORY FROM DISTRICT.

SYLLABUS:

By authority of Section 4726, General Code, the question of centralization of schools within a rural school district may be submitted to the electors of the district as it exists at the time the question is submitted, without regard to the fact that certain territory had, a short time before, been transferred from the district.

COLUMBUS, OHIO, October 5, 1936.

HON. WARD C. CROSS, *Prosecuting Attorney, Jefferson, Ohio.*

DEAR SIR: This will acknowledge receipt of your request for my opinion, which reads as follows:

“A portion of Monroe Township Rural School District was transferred by the county board of education under a reorganization plan in accordance with the new School Foundation Law, to Kingsville Township Rural School District.

I have been requested for an opinion by the Monroe Township Rural School District Board of Education as to whether or not an election can be called by the board, submitting to the qualified electors of said rural school district (that is, the remaining portion of the Monroe Township Rural School District), the question of the centralization of the remaining portion of such district.