

pass on the question, administrative officials have no other guide for their conduct than the statute itself.

I am therefore of the opinion that in the Second Appellate District, Section 3963, General Code, is unconstitutional and void. In the Eighth and Ninth Appellate Districts the statute is valid, and must be so administered. In the other six Appellate Districts, municipalities should look upon the statute in the light of the principle that statutes are presumed to be constitutional until held to be otherwise, and that until the Courts of Appeals of these several districts pass upon the question, municipal administrative officials in those districts should consider Section 3963, General Code, as being constitutional, and act accordingly.

Respectfully,
GILBERT BETTMAN,
Attorney General.

713.

APPROVAL, FINAL RESOLUTION ON EXTRA WORK CONTRACT—
FAYETTE COUNTY.

COLUMBUS, OHIO, August 7, 1929.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

714.

APPROVAL, TRANSCRIPT OF PROCEEDINGS FOR SALE OF ABANDONED MAD RIVER FEEDER CANAL LANDS IN THE CITY OF DAYTON, MONTGOMERY COUNTY—CITY OF DAYTON.

COLUMBUS, OHIO, August 7, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval certain findings and proceedings made and conducted by you in your official capacity as Superintendent of Public Works and as director of said department, relating to the sale of certain parcels of abandoned Mad River Feeder Canal Lands in the city of Dayton, Ohio, to said city; and with said findings and proceedings of your department you have likewise submitted for my examination and approval a form of a resolution to be adopted and signed by the Governor, the Attorney General and by you as Superintendent of Public Works of Ohio and as Director thereof, providing for and authorizing the sale of said property to the city of Dayton, Ohio, and authorizing and directing the execution by the Governor of a deed therefor.

The parcels of abandoned Mad River Feeder Canal Lands to which said findings, proceedings and resolution relate is hereby described as follows: