

cuting attorney of one county is not bound by a decision of a common pleas court of another county, and may, therefore, follow a ruling of the Bureau of Inspection and Supervision of Public Offices based upon an opinion of the Attorney General which is in conflict with said Common Pleas Court decision.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

535.

BOND—WILLIAM S. HINDMAN, ACTING DEPUTY DIRECTOR, BUREAU OF BRIDGES, DEPARTMENT OF HIGHWAYS, \$5,000.00.

COLUMBUS, OHIO, May 3, 1939.

HON. ROBERT S. BEIGHTLER, *Director, Department of Highways, Columbus, Ohio.*

DEAR SIR: You have submitted for my approval, the bond of William S. Hindman, in the sum of \$5,000.00, with the Glens Falls Indemnity Company of New York as surety and covering Mr. Hindman in the position of Acting Deputy Director of the Bureau of Bridges, Department of Highways.

Finding said bond in proper legal form, I have noted my approval thereon, and same is transmitted herewith to you.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

536.

BONDS—CITY OF TOLEDO, LUCAS COUNTY, \$5,000.00

COLUMBUS, OHIO, May 5, 1939

Retirement Board, Public Employes' Retirement System, Columbus, Ohio.

GENTLEMEN:

RE: Bonds of the City of Toledo, Lucas County, Ohio,
\$5,000.00 (Unlimited).

The above purchase of bonds appears to be part of a \$2,300,000.00 issue of Bridge Bonds of the above city dated May 1, 1929. The tran-

script relative to this issue was approved by this office in an opinion rendered to the State Teachers Retirement Board under date of December 4, 1933, being Opinion No. 1951.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

537.

LEASE—CANAL LAND, STATE TO TOLEDO AND CINCINNATI RAILROAD COMPANY OF BALTIMORE, MARYLAND, DESIGNATED OHIO CANAL PROPERTY, CHILLICOTHE, ROSS COUNTY.

COLUMBUS, OHIO, May 5, 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 the State of Ohio, acting through you as Superintendent of Public Works, to The Toledo and Cincinnati Railroad Company of Baltimore, Maryland.

By this lease, which is one for a term of ninety-nine years, renewable forever, and which provides for the payment by said grantee of an annual rental of \$30.00, payable in semi-annual installments of \$15.00 each, there is leased and demised to the grantee above named the right to occupy and use for necessary railroad right of way purposes, and purposes incidental thereto, that portion of the abandoned Ohio Canal property, in the city of Chillicothe, Ross County, Ohio, near Renick Tower, that is described as follows:

Beginning at the point where the westerly line of the lands of the Ohio Canal is intersected by the center line of the Wellston Line of The Baltimore and Ohio Railroad at station 4254+29.6; thence with said westerly line of canal land, by the following two courses: north $57^{\circ} 04'$ west, fifty-three and six-tenths (53.6') feet; thence north $32^{\circ} 16'$ west, thirty and one-tenth (30.1') feet; thence parallel to and fifty (50') feet at right angles from said center line, intersecting the base line for canal property at station 5+19.5; thence south $85^{\circ} 51'$ east, one hundred seventy-seven and five-tenths (177.5') feet; thence intersecting said center line at station 4255+84.1, south $35^{\circ} 45'$ east, one hundred thirty and six-tenths (130.6') feet; thence parallel to