

therefore vested in the Ohio Canal Commission and the Board of Public Works with respect to the sale of canal lands.

Looking to the transcript of your proceedings relating to the sale of the particular parcel of abandoned Ohio Canal lands here in question, it is noted that said transcript contains a finding duly made by you that this land has been legally abandoned for canal purposes, that the same is not necessary or required for the use, maintenance and operation of the canal, and that the property cannot be leased so as to yield an income of six per cent upon the appraised value of the land. All of these findings are required to be made as a condition precedent to the exercise of your power and authority to sell this land; and such findings having been made by you in the exercise of powers conferred upon you by law, such findings are, of course, binding in the absence of any showing that such findings or any of them are palpably wrong.

It appears further in this connection that since the appraised value of this property does not exceed the sum of \$500.00, you were authorized to sell this property at private sale subject to the approval of the Governor and the Attorney General. No reason for disapproving this sale appears on the face of the transcript or from any other information submitted to me; I am accordingly approving this sale and the transcript of your proceedings relating to the same as is evidenced by my approval endorsed upon the transcript and upon the duplicate copy thereof, both of which are herewith returned.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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3341.

APPROVAL—BONDS, AKRON CITY SCHOOL DISTRICT, SUMMIT COUNTY, OHIO, \$5,000.00, DATED DECEMBER 1, 1926.

COLUMBUS, OHIO, December 6, 1938.

*Retirement Board, State Public School Employes Retirement System,  
Columbus, Ohio.*

GENTLEMEN :

RE: Bonds, Akron City School District, Summit County,  
Ohio, \$5,000.00.

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise part of an issue of

School Site, Building and Equipment Bonds in the aggregate amount of \$540,000.00, of a \$2,500,000.00 authorization by election of November 4, 1924, dated December 1, 1926, and bearing interest at the rate of  $4\frac{3}{4}\%$  per annum.

From this examination, in the light of the law under authority of which these bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute valid and legal obligations of said school district.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

3342.

APPROVAL—NOTES OF VAN BUREN TOWNSHIP MONTGOMERY COUNTY, OHIO, \$5,003.06, DATED OCTOBER 20, 1938.

COLUMBUS, OHIO, December 6, 1938.

*Retirement Board, Public Employes Retirement System, Columbus, Ohio.*  
GENTLEMEN:

RE: Notes of Van Buren Township, Montgomery County, Ohio, \$5,003.06 (Limited).

I have examined the transcript of proceedings relative to the above notes purchased by you. These notes comprise all of an issue of Poor Relief Notes in the aggregate amount of \$5,003.06, dated October 20, 1938, and bearing interest at 4% per annum.

From this examination, in the light of the law under authority of which these notes have been authorized, I am of the opinion that notes issued under these proceedings constitute valid and legal obligations of said township.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*