

lot) shows that at the time of making application for a deed, The Wehrle Company was the lessee of said tract, and has been in continuous possession thereof down to the present time. It therefore appears that the proceedings for sale come within the terms of section 3 of the act of March 21, 1917; 107 O. L. 741 (Sec. 14203-22), thus dispensing with the necessity of the advertisements provided by section 13971, G. C., and the notice provided by section 14203-23, G. C. (107 O. L. 741; 108 O. L. 608).

The remaining transcript, relating to sale of Tract No. 6 and Tract No. 7 as above mentioned, refers to sections 13971, 14203-22 and 14203-23, G. C.; and your letter shows that the two tracts were not under lease at the time of the passage of the act abandoning said tracts for canal purposes. As was pointed out in Opinion No. 1497, directed to you under date August 13, 1920, and the previous letter therein referred to, the provisions of section 14203-23, G. C. as amended 108 O. L. 608, are indefinite and difficult of interpretation. However, the transcript of proceedings now in question shows a substantial compliance with said section 14203-23 as well as with sections 13971 and 14203-22.

It thus appearing that the proceedings shown in the two transcripts are in compliance with the statutes, I am giving my approval to both sales, and am returning herewith the two transcripts furnished me, with my approval endorsed thereon.

Respectfully,

JOHN G. PRICE,

*Attorney-General.*

1736.

APPROVAL, INSTRUMENT COVERING CONVEYANCE TO THE MIAMI  
CONSERVANCY DISTRICT OF CERTAIN DILAPIDATED BUILDINGS  
LOCATED AT PICAYUNE LOCK SOUTH OF TIPPECANOE, OHIO.

COLUMBUS, OHIO, December 27, 1920.

HON. JOHN I. MILLER, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—I have your letter of December 23, 1920, transmitting, in triplicate, an instrument covering conveyance to The Miami Conservancy District of certain dilapidated buildings located at Picayune lock south of Tippecanoe, Ohio.

The instrument in question purports to be drawn under authority of section 13971 G. C. While that section relates particularly to the sale of canal lands rather than of the buildings thereon, it is believed that the sale of useless buildings would at least come within the general scope and intent of the section.

Under these circumstances, I know of no reason why the instrument submitted should not be executed, and I am therefore returning it with my approval endorsed thereon.

Respectfully,

JOHN G. PRICE,

*Attorney-General.*