

While as pointed out the legislative expression as to the probable uncertainty of the Hughes act is not conclusive on that question, but is to be considered merely as a statement of the emergency, yet it should also be borne in mind that the essential features of the Hughes act, above pointed out, are in the main carried into the Griswold act and the decision of the supreme court, referred to in the emergency clause, viz., the city of Elyria vs. Vandemark, case No. 16301, decided September 9, 1919, bearing entirely on the effect of classification of cities by population on the uniform operation of law, provision in the constitution, shows that one of the purposes, if not the main purpose, was to amend the Hughes law in this particular, viz., that no classification of cities was attempted. However, it does appear clear that while the infirmities of the Hughes act were considered, there was no disposition to abandon the principal ideas of the Hughes bill and restore the old municipal health boards.

Considering the history, character and purpose of these last two acts, and after careful examination of all of their sections, the conclusion is reached that their effect was to abolish municipal health boards and in place thereof to create and have established district health boards.

It is noted that the further question is asked as to the status of the appointees under the old boards, but it is believed that in view of the necessity for an early determination of the question already discussed, this question may properly be made the subject of a separate opinion.

Respectfully,
JOHN G. PRICE,
Attorney-General.

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APPROVAL, TRANSCRIPT OF PROCEEDINGS FOR SALE OF OHIO CANAL
LANDS IN CITY OF NEWARK, LICKING COUNTY, OHIO.

COLUMBUS, OHIO, January 28, 1920.

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

DEAR SIR:—Receipt is acknowledged of your letter of January 22nd, enclosing, in duplicate, transcript of the proceedings of your department with respect to sales of the following Ohio canal lands in the city of Newark, Licking county, Ohio:

- (a) 12048 sq. ft., more or less, sold to the Midland Shoe Company; appraisement \$1,986; selling price, 1,490.
- (b) Tract lying between north line of Church street in the city of Newark and south line of first alley north of said street and parrallel thereto, sold to Harry D. Baker and George R. Baker; appraisement \$2,053.33; selling price \$1,540.

I have carefully examined your proceedings as shown by the transcript and find the same correct and in accordance with law, and I am, therefore, returning the duplicate copies with my approval of the two sales attached.

Respectfully,
JOHN G. PRICE;
Attorney General.