

made only in the manner provided by the laws in this State. And since the question as to whether the sale of spirituous and/or intoxicating liquors on canal lands leased by your department should be prohibited or should be permitted under proper restrictions, is a question of sound governmental policy to be determined by you as the responsible head of the department of state government having charge of these lands, and is not a question which this office is called upon to determine, I cannot say, on any considerations governing my duty in the premises, that you may not insert in the lease form of the leases to be executed by you a provision such as that above quoted.

In this connection, however, I do not think it improper to suggest that aside from the restrictions which the law imposes upon the sale of spirituous or intoxicating liquors in this State, it might be well for the Superintendent of Public Works as Director of said Department to keep a controlling hand on the matter of the sale of such liquors on canal lands leased by him and to provide in the lease that such liquors should be sold or be permitted to be sold only on his written consent. There are some canal lands so situated with respect to environment that it might be detrimental not only to the public interest and welfare but also to the proprietary interest of the State to permit the sale of intoxicating liquors on such lands. You will understand, of course, that this is only a suggestion and I am not assuming to pass upon any question other than those properly before me as your legal advisor.

As a mere matter of carrying out your obvious intention in the provisions of the lease form above quoted, it is suggested that between the words "nor" and "allow" in the fourth line of the paragraph of the lease form in which such provisions are set out, there should be inserted the words "sell or".

With respect to the sections of the General Code appearing at the head of the lease form as the authority of the Superintendent of Public Works to execute canal land leases, I am inclined to the view that it is sufficient to indicate sections 464, 486-1, 13965, et seq., 154-3 and 154-40 of the General Code, and, in case of the lease of canal lands which have been abandoned for canal and/or hydraulic purposes, there should be a reference to such act by year book and page.

In conclusion, it is suggested that the lease form should be so drawn that the location of the parcel of canal land leased should be so designated as to show the county and the township (or municipal corporation) in which the property is situated.

Respectfully,

JOHN W. BRICKER,

Attorney General.

3615.

APPROVAL—RESERVOIR LAND LEASE IN FAIRFIELD COUNTY, OHIO,
FOR THE RIGHT TO OCCUPY AND USE FOR COTTAGE SITE AND
DOCKLANDING PURPOSES A CERTAIN PARCEL OF LAND AT
BUCKEYE LAKE—THELMA L. GARRISON.

COLUMBUS, OHIO, December 11, 1934.

HON. EARL H. HANEFELD, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—The Chief of the Bureau of Inland Lakes and Parks of the Di-

vision of Conservation in your department has submitted to me for my examination and approval a reservoir land lease in triplicate, executed by the Conservation Commissioner, under the authority of Section 471, General Code, to one Thelma L. Garrison of Lancaster, Ohio. By the lease here in question, which is one for a stated term of fifteen years and which provides for an annual rental of \$18.00, there is leased and demised to the lessee above named, the right to occupy and use for cottage site and docklanding purposes a certain parcel of reservoir lands at Buckeye Lake, the same being in the Southeast Quarter of Section 28, Town 17, Range 18, Fairfield County, Ohio, and being that portion of the center part of Lot No. 7, north of the Summerland Beach Road, which is more particularly described as follows:

“Commencing at an iron pin in the northerly line of the Summerland Beach Road that is 21 feet west of an iron pin that marks the southeast corner of Lot No. 7, and also marks the southwest corner of the lease owned by the Millersport Bank Company, and running thence westerly along the northerly line of said road, 37 feet to an iron pin; thence northerly, 61 feet to a mark in the concrete retaining wall; thence westerly along said retaining wall, 34.6 feet to a mark on the stone retaining wall that is 16 feet west of the northeast corner of said Lot No. 7; thence southerly, 52 feet to the place of beginning.”

Upon examination of this lease I find that the same has been properly executed by the Conservation Commissioner and by Thelma L. Garrison, the lessee therein named. I further find upon examination of the provisions of this lease and of the conditions and restrictions therein contained, that the same are in conformity with the section of the General Code above referred to, and with other statutory enactments relating to leases of this kind. I am accordingly approving this lease as to legality and form as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,
JOHN W. BRICKER,
Attorney General.

3616.

PUBLIC UTILITIES COMMISSION—INVESTIGATOR OF COMMISSION
MAY SIMULTANEOUSLY SERVE ON COUNTY BOARD OF ELEC-
TIONS AND CHAIRMAN OF COUNTY EXECUTIVE COMMITTEE
WHEN.

SYLLABUS:

An Investigator in the Public Utilities Commission, who is not in the Classified Civil Service, may at the same time be a member of a County Board of Elections and Chairman of a County Executive Committee, if it is physically possible to perform the duties of all three positions.