

4260.

APPROVAL, LEASE FOR OFFICE SPACE FOR USE OF AUDITOR OF STATE—
WESTERN AND SOUTHERN LIFE INSURANCE COMPANY.

COLUMBUS, OHIO, May 14, 1935.

HON. T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval as to form, a lease which grants to you, for the use of the Auditor of State, certain office rooms as follows:

Lease from the Western and Southern Life Insurance Company, of Cincinnati, Ohio, for office space 28½ feet wide and 36 feet deep at the southeast corner of the third floor of the Peters Building located at 62-68 East Gay Street, Columbus, Ohio. This lease is for a term of one year and nine months, beginning on the first day of April, 1935, and ending on the 31st day of December, 1936, by the terms of which the State will be required to pay two hundred and twenty-two dollars and sixty-three cents (\$222.63) on April 1, 1935, one hundred dollars (\$100.00) on April 30, 1935, and one hundred dollars (\$100.00) at the end of each month thereafter of said term.

You have submitted encumbrance estimate (No. 2) of the Director of Finance, made in pursuance of section 2288-2, General Code. In addition a copy of a by-law of the lessor corporation is submitted showing that the vice-president and secretary of such corporation have authority to execute leases to bind the company.

Finding said lease in proper legal form, I hereby approve it as to form and return it herewith, together with all papers submitted in this connection.

Respectfully,

JOHN W. BRICKER,
Attorney General.

4261.

WAR VETERAN—"HONORABLE DISCHARGE" DEFINED—APPLICATION TO
SECTION 486-10, GENERAL CODE DISCUSSED.

SYLLABUS:

1. *An ex-service man who was discharged from the United States Marine Corps or the United States Navy during the period between April 6, 1917 and November 11, 1918, solely on the ground of fraudulent enlistment on account of misrepresentation of his age, if his service was otherwise such as would have entitled him to discharge under honorable conditions, is by virtue of Section 204, Title 34, United States Code Annotated, "honorably discharged" within the meaning of section 486-10, General Code.*

2. *Such discharge reading "Discharged as undesirable, by reason of inaptitude" is not an "honorable discharge" within the meaning of section 486-10, General Code, where other elements caused such discharge in addition to such fraudulent enlistment.*

COLUMBUS, OHIO, May 14, 1935.

The Civil Service Commission of Ohio, Columbus, Ohio.

GENTLEMEN:—This will acknowledge your recent communication, reading as follows:

"Recently this Commission refused Military credit in accordance with the provisions of Section 486-10 G. C. to an ex-service man whose certified copy of discharge from the United States Marine Corps after serving from the 24th