

5417.

DISAPPROVAL—APPLICATION FOR REDUCTIONS OF CURRENT AND DELINQUENT RENTALS ON RESERVOIR LAND LEASE—CLARA B. HALL.

COLUMBUS, OHIO, April 27, 1936.

HON. L. WOODDELL, *Conservation Commissioner, Columbus, Ohio.*

DEAR SIR: This is to acknowledge the receipt of a recent communication over the signature of the Chief of the Bureau of Inland Lakes and Parks, with which there was submitted for my examination and approval an application filed on behalf of one Clara B. Hall for reductions in the amounts of current and delinquent rentals under a lease executed to her under date of July 6, 1921 (B. L. 242), in and by which there was leased and demised to said lessee a parcel of reservoir land on the north shore of Buckeye Lake and which is included in the easterly 75 feet of Embankment Lot No. 3, east of the waste-gates of said lake. With this application you likewise submit for my approval your finding as Conservation Commissioner in and by which you grant to said lessee a reduction in the current annual rental under said lease from the sum of \$150 to the sum of \$36, and in and by which you make a like reduction with respect to the delinquent rentals under the lease.

The application here in question for the reductions in the current and back rentals under this lease was one filed with you under the assumed authority of House Bill No. 467, enacted by the 90th General Assembly under date of June 30, 1933, 115 O. L., 512. Section 3 of this act, which has been carried into the General Code as section 478-3, provides for the form of such application and as to the information and other matters which such application is to contain. In this connection, the section specifically provides that the application shall set forth the reasons why the rental provided for in the lease shall be revised and that there should be set out in the application such other information as will be helpful to you in determining the fair amount of rental to be paid under the lease.

Upon examination of the lease here in question, I find that no reasons whatever have been assigned by the applicant in support of her request for reductions in the current and back rentals to be paid under this lease. It is quite obvious to my mind that this requirement of the statute is mandatory and although you and the Chief of the Bureau of Inland Lakes and Parks doubtless were in the possession of information relating to the lessee's situation with respect to this lease which in your mind justified the reductions granted by you, this information and the means whereby

you obtained the same would not have the effect of obviating information which the lessee was required by statute to set out in her application.

For the reasons above stated, this application and the findings made by you as Conservation Commissioner thereof are disapproved and the same, together with the copies thereof, are herewith returned.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5418.

APPROVAL—BONDS OF CITY OF DAYTON, MONTGOMERY COUNTY, OHIO, \$172,000.00.

COLUMBUS, OHIO, April 27, 1936.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

5419.

APPROVAL—BONDS OF CITY OF DAYTON, MONTGOMERY COUNTY, OHIO, \$183,000.00.

COLUMBUS, OHIO, April 27, 1936.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

5420.

ELECTION LAW—TERM OF CANDIDATES—AMENDMENT TO STATUTE CHANGING TERM EFFECTIVE PRIOR TO ELECTION, CONTROLLING AS TO SUCH ELECTION.

SYLLABUS:

An amendment of the law changing the term of an elective office, which amendment becomes effective after candidates for such office have been nominated but before the date of election, is controlling as to the term of any candidate elected at such election.