

2677.

APPROVAL — PROCEEDINGS RELATING TO APPLICATION FOR RENTAL REDUCTION UPON LEASE OF MIAMI AND ERIE CANAL LANDS, MIAMI COUNTY, MADE BY THE TRUSTEES OF THE TROY CITY MISSION.

COLUMBUS, OHIO, May 17, 1934.

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

DEAR SIR:—You have submitted for my approval the report of your finding upon an application made by the Trustees of the Troy City Mission for a reduction in the delinquent and current annual rental payable by the Troy City Mission upon a lease of Miami and Erie Canal lands in the City of Troy, Miami County, Ohio, which canal lands are now occupied and used by said lessee as a site for a building which is used in connection with evangelical work carried on by the Mission.

The lease here in question, which bears serial number M&E 215, was executed under date of October 1, 1926, for a term of fifteen years expiring September 30, 1941, and the same provided for an annual rental of forty-eight dollars. It appears from your finding that the lessee is delinquent in the payment of its rental upon this lease for the period from May 1, 1933, to May 1, 1934, amounting to the sum of forty-eight dollars. And, as above noted, the application filed with you is for a reduction in the amount of this delinquent rental as well as for a reduction in the amount of the current rent on this lease from May 1, 1934, to May 1, 1935.

This application for an adjustment of delinquent and current rentals under this lease was filed with you on or about the 18th day of November, 1933, pursuant to the provisions of House Bill No. 467, which was passed by the 90th General Assembly under date of June 8, 1933, and which became effective on the 11th day of October, 1933. 115 O. L. 512. By the provisions of this act, the Superintendent of Public Works, with the approval of the Governor and Attorney General, is authorized to make a rental adjustment of unpaid rentals on existing canal land leases, as well as to make an adjustment of current rentals for a period of one year in advance beginning with the next semi-annual rental payment date provided for in such leases. Such rental readjustment can be made by the Superintendent of Public Works only upon an application therefor made by the lessee in the manner and form provided for in section 3 of said act, in and by which application, among other things, the lessee is required to set forth the reasons why such rentals should be revised. In the application filed by the lessee with you as Superintendent of Public Works, the reason assigned for the reductions requested by the lessee is that said Mission is a purely non-sectarian organization for evangelical work among and for the poorest of the non-church going people in said city, and is supported by contributions in money made as good will offerings by those who feel that they can afford to make such contributions; and that by reason of the existing situation with respect to non-employment among the people served by said Mission their ability to make such contributions to meet the expenses of the Mission have been greatly reduced.

Acting upon this application, you have made a finding in and by which you have granted to said lessee a reduction in the amount of its delinquent rental under this lease from forty-eight dollars to twenty-four dollars and you have

reduced the current rental under this lease for the period from May 1, 1934, to May 1, 1935, from forty-eight dollars to thirty-two dollars.

Upon examination of the proceedings relating to this matter, including the application for the reduction in the rentals above referred to, I am inclined to the view that they are in substantial conformity with the statutory provisions outlined in House Bill No. 467 and the same are accordingly hereby approved by me as to legality and form, as is evidenced by my approval endorsed in and upon the resolution of approval which is made a part of the proceedings relating to the reduction of said rentals, and upon the copies thereof, all of which, together with the duplicate copies of your findings and the application, are herewith returned.

Respectfully,

JOHN W. BRICKER,
Attorney General.

2678.

APPROVAL—PROCEEDINGS RELATING TO APPLICATION MADE BY
I. RALPH BOWSMAN OF PIQUA, OHIO, FOR A REDUCTION IN
RENTAL UPON MIAMI AND ERIE CANAL LANDS IN CONCORD
TOWNSHIP, MIAMI COUNTY, OHIO.

COLUMBUS, OHIO, May 17, 1934.

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

DEAR SIR:—You recently submitted for my approval the report of your finding on an application made by I. Ralph Bowsman of Piqua, Ohio, for a reduction in the annual rental to be paid by said lessee upon the lease of Miami and Erie Canal lands in Concord Township, Miami County, Ohio, which canal lands said lessee is now occupying and using for the deposit of waste earth and drainage purposes.

The lease here in question, which bears serial number M&E 348, was executed under date of March 7, 1928, for a term of fifteen years expiring March 6, 1943, and the same provided for an annual rental of \$54.00.

The application for a reduction in the amount of the annual rental provided for in this lease was filed with you on or about January 27, 1934, pursuant to the provisions of House Bill No. 467, which was passed by the 90th General Assembly under date of June 8, 1933, and which became effective on the 11th day of October, 1933. 115 O. L. 512. By the provisions of this act, the Superintendent of Public Works, with the approval of the Governor and Attorney General, is authorized to make a rental adjustment on existing canal land leases for a period of one year in advance beginning with the next semi-annual rental payment date, provided for in such leases. Such rental readjustment can be made by the Superintendent of Public Works only upon an application therefor made by the lessee in the manner and form provided for in section 3 of said act, in and by which application, among other things, the lessee is required to set forth the reasons why the annual rental provided for in said lease should be revised. In the application filed by the lessee with you as Superintendent of Public Works, the