

1986.

APPROVAL, LEASE FOR RIGHT TO TAKE FROM LEVEL OF ABANDONED OHIO CANAL ABOVE LOCK NO. 5, A LIMITED AMOUNT OF WATER—OHIO PUBLIC SERVICE COMPANY, MASSILLON, OHIO.

COLUMBUS, OHIO, June 13, 1930.

HON. A. T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You will find enclosed herewith a certain water lease in triplicate which has been submitted to me for approval. This lease is one executed by you, as Superintendent of Public Works, on behalf of the State of Ohio, by the terms of which there is granted to the Ohio Public Service Company of Massillon, Ohio, the right to take not to exceed 500,000,000 gallons of water annually, from the level of the abandoned Ohio Canal above Lock No. 5 of said canal, for a term of five years. For the right and privilege of taking such water, which is to be used by said lessee for steam and condensing purposes, said lessee agrees to pay to the State of Ohio a minimum annual rental of \$1200.00.

In this connection, I am advised by your department that the Ohio Public Service Company in the usual course of its business obtains the electric power needed by it from other sources and that ordinarily, it is only in cases of emergency that any water will be taken from the Ohio Canal for steam and condensing purposes in the operation of the lessee's own generating plant. In this situation it seems that the minimum annual rental provided for in said lease is practically a ready to serve charge.

Upon examining the provisions of said lease, I find that same are in conformity with the provisions of Section 14009 and with those of other related sections of the General Code, with respect to leases of this kind. Said lease is accordingly approved by me as to its legality and form. This is the only question that I am passing on with respect to this lease.

Respectfully,

GILBERT BETTMAN,
Attorney General.

1987.

PUBLIC DANCE—INVITATIONS TOGETHER WITH SMALL GIFT SOLD TO VENDEES AND NUMBER OF SALES LIMITED ONLY BY CAPACITY OF HALL.

SYLLABUS:

A dance given by an individual, where invitations are sold for fifty cents and some small gift is given as an inducement to aid in the sale of tickets, and the number of patrons to whom such tickets are sold is limited by the capacity of the hall, constitutes a "public dance" within the meaning of Section 13393 of the General Code.

COLUMBUS, OHIO, June 13, 1930.

HON. FREDERICK C. MYERS, *Prosecuting Attorney, Marietta, Ohio.*

DEAR SIR:—I am in receipt of your letter of recent date which is as follows:

"The trustees of Salem Township, Washington County, Ohio, desire to