

certain canal land lease in triplicate executed by your department by which there is leased and demised to the Ohio Fuel Gas Company of Columbus, Ohio, for a term of fifteen years, the right and permission to lay and maintain across the abandoned Hocking Canal in the northwest quarter of Section 21, Berne Township, Fairfield County, Ohio, a double gas pipe line with pipes not to exceed eighteen inches in diameter, at a point 1230 feet north of the south end of Lot No. 7, numbering southeast from Carroll, Ohio, and being at or near Station 683 plus 30 of W. C. Row's survey of said canal; and also the right and permission to lay and maintain across the abandoned Ohio Canal in the northwest quarter of Section 26, Liberty Township, Fairfield County, Ohio, a double gas pipe line with pipes not to exceed eighteen inches in diameter at a point 825 feet northeast of the north end of Lot No. 6 of Licking Summit on the Ohio Canal, which point is at or near Station 1151 plus 75 of W. C. Row's survey of said canal.

This lease, which calls for an annual rental of \$24.00, payable in semi-annual installments of \$12.00 each, is one apparently executed under the authority of Section 13970, General Code, and of House Bill No. 417, passed by the 88th General Assembly under date of April 5, 1929.

Upon examination of the provisions of said lease, I find that the execution of this lease is authorized by the statutory provisions above noted, and that the provisions thereof are not in conflict with such statutory provisions. In this connection, I note that by the provisions of this lease said pipe lines are to be laid and maintained in accordance with plans and specifications to be approved by the Superintendent of Public Works. This provision in the lease will enable you to protect any highway that may be constructed upon any part of the abandoned Ohio canal lands at the points above mentioned, or which may hereafter be constructed upon said lands as contemplated by the provisions of House Bill No. 417, above referred to.

I am, accordingly, approving the lease here in question as to legality and form, as is evidenced by my authorized signature upon said lease and upon the duplicate and triplicate copies thereof.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2005.

APPROVAL, LEASE TO LAND ADJACENT TO AND FRONTING UPON
LAKE ST. MARYS—MARY DARRAGH.

COLUMBUS, OHIO, June 20, 1930.

HON. PERRY L. GREEN, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of your recent communication with which you submit for my examination and approval, among other reservoir land leases, a certain lease in triplicate, executed on behalf of the State of Ohio, by the Conservation Commission in your department, by which there is leased and demised to one Mary Darragh, for a term of fifteen years, and subject to the conditions and restrictions therein contained, a certain parcel of land adjacent to, and fronting upon Lake St. Marys, which parcel of land is more particularly described in said lease.

The lease here in question, which is one calling for an annual rental of \$18.00, which is 6% upon the sum of \$300.00, the appraised value of said parcel of land,

is executed under the authority of Section 471, of the General Code, as amended by the Conservation Act.

Upon examination of the provisions of this lease I find the same to be in conformity with the provisions of the section of the General Code above noted, and with all other statutory provisions relating to leases of this kind.

Said lease is accordingly approved by me as to its legality and form, as is evidenced by my approval endorsed upon said lease and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

GILBERT BETTMAN,

Attorney General.

2006.

CANDIDATE—COMMON PLEAS JUDGE—LIMITED TO EXPENDITURES
OF FIVE HUNDRED DOLLARS EACH AT PRIMARY AND GENERAL
ELECTION.

SYLLABUS:

Under the provisions of Section 4785-184, General Code, a candidate for the office of judge of common pleas, probate or insolvency court, may not expend more than five hundred dollars as therein set forth. The provision of this section authorizing an additional expenditure by candidates of five dollars for each one hundred electors in excess of five thousand who voted for governor at the last preceding state election relates only to candidates for other public offices to be voted for by the qualified electors of a county, city, township or village, or any part thereof, than those limited in clauses "(a)" to "(f)," both inclusive, of this section.

COLUMBUS, OHIO, June 21, 1930.

HON. JAMES M. AUNGST, *Prosecuting Attorney, Canton, Ohio.*

DEAR SIR:—Your letter of recent date is as follows:

"A question has arisen over the interpretation of clause (h) of Section 4785-184 of the new election code. This section reads as follows:

'(h) if the total number of votes cast therein at such last preceding election be in excess of five thousand, the sum of five dollars for each one hundred in excess of such number may be added to the amount above specified. The amount which may be spent by any candidate at or before any primary election may be equal to, but shall not exceed the amount which is permitted by law to be expended for the general election. Any candidate for a public office who shall expend for the purpose above mentioned an amount in excess of the amount herein specified shall be guilty of a corrupt practice.'

The clause (g) which immediately precedes clause (h) is as follows:

'(g) a candidate for any other public office to be voted for by the qualified electors of a county, city, township, or village, or any part thereof, if the total number of votes cast therein for governor at such last preceding state election be five thousand or less, the sum of three hundred dollars.' while in clause (e) the limit of expenditure is placed at the sum of \$500.00 for candidates for common pleas judge. Does the excess amount provided