

time of the expiration of this lease, to execute a new lease to such sub-tenant, even if such sub-tenant under this lease made application therefor. The only authority granted to the Conservation Commissioner with respect to this matter is to execute a lease to the person therein named as lessee for a term of fifteen years, and obviously the Conservation Commissioner in the execution of such lease has no authority to confer upon the lessee therein named, a right to a renewal of such lease at the expiration of the original lease. This being true, it follows for a stronger reason, that the Conservation Commissioner cannot by this lease confer or impose upon the lessee the power to give a sub-tenant the right to a new lease at the expiration of the original lease. It may, indeed, be equitable that a sub-tenant who has gone on the property leased to him and has erected thereon substantial improvements should be entitled to a lease direct from the state upon expiration of the lease here in question and the sub-lease granted thereunder; but it is to be assumed that the officer or board having authority to lease the property here in question or any part thereof at the expiration of this lease will recognize the equities that may exist in particular lessees or sub-tenants, existing by reason of the construction by them of improvements upon this property. However, as above noted, I do not think that the particular provisions of the lease here in question above discussed in any wise affect the other provisions of the lease which are within the scope and authority of statutory provisions relating to leases of this kind, and said lease is, accordingly, hereby approved 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.*

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2205.

APPROVAL, BONDS OF CLEVELAND HEIGHTS VILLAGE SCHOOL DISTRICT, CUYAHOGA COUNTY, OHIO—\$20,000.00.

COLUMBUS, OHIO, August 5, 1930.

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

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2206.

ELECTION LAW—COMMITTEE OR PERSON OTHER THAN CANDIDATE—EXPENSES IN CONNECTION WITH ELECTION NOT LIMITED—ITEMIZED STATEMENT NECESSARY.

**SYLLABUS:**

*The limitations set forth in Section 4785-184, General Code, as to the amount a candidate for public office may spend, are not applicable to amounts which may be spent by a committee or person other than a candidate in order to secure the*

*election or defeat of a candidate, but all such expenditures must be accounted for in an itemized statement, as provided in Section 4785-186, General Code.*

COLUMBUS, OHIO, August 5, 1930.

HON. LEROY W. HUNT, *Prosecuting Attorney, Toledo, Ohio.*

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

“The new election code apparently limits the amount which may be spent by a candidate for the office of Judge of the Court of Common Pleas, to \$500. Upon examination of this section of the Code, I am unable to find any reference to committees organized for the purpose of carrying on a candidate’s campaign.

Will you please advise me at your early convenience as to whether or not, in your opinion, under the new code, friends of a candidate for this position can organize a committee for the purpose of carrying on a campaign, and what, if any, is the limitation upon the amount of money they may spend for this purpose, and whether or not this is in addition to the amount which may be spent by the candidate himself.”

The only limitations contained in the Election Laws of the State of Ohio as to amounts which may be spent in a campaign are contained in Section 4785-184, General Code. This section expressly limits the amount which may be expended by a candidate for public office, and tabulates the purposes for which money may be spent in securing the election or defeat of a candidate. There is no limitation, however, in this or in any other section as to the amount any person other than a candidate may spend to secure the election or defeat of a candidate, or as to the amount any committee may spend.

The law recognizes that expenditures may be made to secure the election or defeat of a candidate by a committee or person other than a candidate. Section 4785-184, General Code, provides:

“No money or other things of value shall be paid, expended, contributed, loaned or promised by, on behalf of, or in opposition to any candidate for nomination or election in order to secure or aid in securing his election or defeat, except for the following purposes:

\* \* \* \* \*

There is a recognition here not only that expenditures may be made on behalf of a candidate, but that contributions may be made to aid in securing the election or defeat of a candidate.

It should, perhaps, be noted in passing that in the event expenditures are made to aid in securing the election or defeat of a candidate by some person or committee other than the candidate, all such expenditures must be accounted for in an itemized statement, as provided in Section 4785-186, General Code.

In view of the foregoing, it is my opinion that the limitations set forth in Section 4785-184, General Code, as to the amount a candidate for public office may spend, are not applicable to amounts which may be spent by a committee or person other than a candidate in order to secure the election or defeat of a candidate, but all such expenditures must be accounted for in an itemized statement, as provided in Section 4785-186, General Code.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*