

mortgage bonds issued for such purposes shall not impose any liability upon such municipality, but shall be secured only upon the property and revenues of such public utility. Thus it would seem to be the evident purpose of the section to preserve intact the revenues of such public utility, for the purpose of meeting the obligations of the bonded indebtedness.

Considering Section 3963 G. C., it may be noted that the Supreme Court in the case of the Village of Euclid, et al., vs. Camp Wise Association, 102 O. S. 207, in the first paragraph of the syllabus held that by reason of the adoption of section 4, Article XVIII of the constitution of 1912, municipalities requiring waterworks subsequent to that date may operate the same independent of the restrictions imposed by sections 3963 and 14972 of the General Code. While it is true that the principal question before the court in the case cited, was that of the supplying of free water to charitable and benevolent institutions as provided by section 3963, G. C. yet from the reasoning employed by the court in reaching its conclusions, it is not entirely clear that other provisions of this section may not be involved by such a decision. However this may be, it can only be concluded, in view of the facts stated in your inquiry, that the city of Galion in charging for and selling to itself the products of the public utility acquired by it in conformity to the constitutional provisions relative thereto, has apparently acted within the scope of authority conferred upon municipalities under the provisions of these sections and is seemingly within its rights to contract in respect to matters relative to the products of such public utility.

Upon such considerations, therefore, I am inclined to the opinion that the provisions of section 3963, G. C. are not applicable to such a case as your inquiry contemplates, and from this conclusion it obviously follows that a negative answer should be returned to your specific question.

Respectfully,
JOHN G. PRICE,
Attorney-General.

3827.

STATUS, ABSTRACT OF TITLE, STEESE FARM, PERRY TOWNSHIP,
STARK COUNTY, OHIO.

COLUMBUS, OHIO, December 22, 1922.

Department of Highways and Public Works, Columbus, Ohio.

GENTLEMEN:—You have requested my opinion upon the title to the Steese farm situated in Perry township, Stark county, Ohio, as disclosed by the abstract submitted by the Department of Public Welfare.

In an examination that was made in March of this year of said abstract a number of defects were pointed out, some of which required court actions to clear up. After consideration, it is my opinion that all of the defects in the title have now been substantially corrected, and that the State will obtain a good title to said premises on the delivery and acceptance of proper deeds.

The Encumbrance Estimate containing the certificate of the Director of Finance to the effect that there is available the sum of \$95,000 to cover the purchase price, it is understood has been obtained.

There has been submitted by the attorney for the Steese heirs copies of the proposed deeds to be delivered, which have been executed, and it is believed that said deeds are sufficient to convey the interests of the grantors to the State when properly delivered.

Said deeds are being returned herewith.

Respectfully,
JOHN G. PRICE,
Attorney-General.

3828.

APPROVAL, LEASE FOR RESERVOIR LANDS, LAKE ST. MARYS,
OHIO.

COLUMBUS, OHIO, December 22, 1922.

*Department of Highways and Public Works, Division of Public Works, Columbus,
Ohio.*

GENTLEMEN:—Under date November 23, 1922, you sent me for examination, among others, the following lease for Reservoir Lands:

Valuation

The Western Ohio Fish and Game Association, land at north-
east corner Lake St. Marys, Auglaise County-----\$1666.67

I have carefully examined said lease, find it correct in form and legal, and am therefore returning the same with my approval endorsed thereon.

Respectfully,
JOHN G. PRICE,
Attorney-General.

3829.

APPROVAL, BONDS OF CITY OF WELLSTON, JACKSON COUNTY,
\$17,000, FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, December 22, 1922.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.