

1924.

APPROVAL, BONDS OF CITY OF TOLEDO, LUCAS COUNTY, OHIO—  
\$16,000.00.

COLUMBUS, OHIO, November 28, 1933.

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

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1925.

POOR RELIEF—COUNTY COMMISSIONERS UNAUTHORIZED TO ACCEPT MORTGAGE FROM PERSONS CERTIFIED AS COUNTY CHARGES AS SECURITY FOR POOR RELIEF FURNISHED TO THEM.

*SYLLABUS:*

*The county commissioners have no power, by virtue of Section 18 and Sections 2548 et seq. of the General Code, to accept a mortgage from persons certified as county charges as security for poor relief to be furnished to them.*

COLUMBUS, OHIO, November 29, 1933.

HON. COLONEL G. L. YEARICK, *Prosecuting Attorney, Newark, Ohio.*

DEAR SIR:—I am in receipt of your recent communication which reads as follows:

“A family, consisting of a man and his sister, are residents of the City of Newark and are in indigent circumstances. These persons have been certified to the County Commissioners as county charges and inasmuch as they are of advanced years, the probable duration of life for each is approximately one year. These persons are the owners, in fee simple, of a certain unencumbered piece of real estate in the City of Newark, the value of which is probably not more than \$300.00. In return for relief furnished them by the County, they have offered to give a mortgage covering this property to the County Commissioners, in the amount of any and all relief furnished them by said Commissioners. These persons do not wish to deed this property to the Commissioners because there is a probability that some relatives may come to their aid in the near future and furnish them with the necessary support. However, the Commissioners do not feel that relief should be granted to them under the circumstances unless some security for the repayment of the sums necessary is furnished.

As we interpret these facts, the one specific question is: Have the County Commissioners power, by virtue of Section 2548 et seq. and Section 18 of the General Code, to accept such mortgage?”

Section 18, General Code, reads as follows:

“The state, a county, a township or cemetery association, the commissioners or trustees thereof, a municipal corporation, the council, a board