

The presence of these last words "or under county control" following immediately, as they do, the words "at the county infirmary" clearly means that *outside* as well as *inside* relief for those in a "peculiar condition," is authorized.

The provision in question is quite evidently intended to be in the nature of an exception to the policy of poor relief established by the prior provisions of section 3476 G. C. For one thing, the first words of the provision are "to such *other* persons", indicating that the prior classification was not to control what was to follow. Again, the persons referred to are persons in a "peculiar" condition—that is, a condition of such nature as to require relief different from that which the township or city is able to give.

We shall not here attempt to enumerate all the circumstances which might make proper an admission to the county infirmary of persons in a "peculiar condition" or which might entitle such persons to outside relief. Mention might, however, be made of persons affected with a contagious or infectious disease of such character as to warrant the attention of the county authorities, who might possibly be better equipped to render the necessary relief than the township or city authorities. Mention might also be made of aged and decrepit persons possessing property, who, for one reason or another, were not receiving satisfactory care. Section 2548 G. C. recognizes this latter situation, expressly providing a way whereby the county commissioners may obtain possession of the property of one who becomes "a county charge."

In the case put by your letter there is nothing to indicate that S. and his wife are in a "peculiar condition" such as to justify county relief. On the contrary, the facts show that these people are of the class of persons who are not wholly dependent upon the public authorities for support, but are rather of those who need a *little* relief all the time. In other words, it would seem that they are persons needing *partial relief*, who fall within that part of section 3476 G. C. which says:

"It is the intent of this act that townships and cities shall furnish relief in their homes to all persons needing temporary or partial relief
* * *"

Your question may, therefore, be answered by saying that permanent partial outside relief to indigent persons should, pursuant to section 3476 G. C. (108 O. L., Part I, p. 272), be afforded by the township or city, rather than by the county, unless the applicants for such relief are persons "whose peculiar condition is such they cannot be satisfactorily cared for except under county control."

Respectfully,
JOHN G. PRICE,
Attorney-General.

1715.

APPROVAL, FINAL RESOLUTION FOR ROAD IMPROVEMENTS IN
MUSKINGUM COUNTY, OHIO.

COLUMBUS, OHIO, December 16, 1920.

HON. A. R. TAYLOR, *State Highway Commissioner, Columbus, Ohio.*

1716.

REGISTERED UNITED STATES GOVERNMENT BONDS—ACCEPTABLE
AS COLLATERAL SECURITY FOR DEPOSIT OF TOWNSHIP FUNDS.

Opinion No. 1246 modified by holding that registered U. S. bonds are receivable as collateral security for the deposit of township funds, subject to the rules governing the deposit of such bonds for a like purpose with respect to municipal deposits, as laid down in said opinion.

COLUMBUS, OHIO, December 16, 1920.

Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.

GENTLEMEN:—You have called the attention of this department to an error in Opinion No. 1246, addressed to your department under date of May 15, 1920.

The question submitted in that opinion was a general one as to whether or not the proper public officers "may accept registered Liberty or other bonds of the United States as surety for the deposit of public funds." In answering this question, in so far as it relates to township depositories, the statement was made that:

"The township depository law does not authorize the deposit of bonds as security."

This statement is true of the township depository law itself (sections 3320 to 3326, inclusive, of the General Code). However, by recent amendment of section 4295 of the General Code (103 O. L. 113), fully quoted in the former opinion, it is provided that:

"Whenever any of the funds of any of the political subdivisions of the state shall be deposited under any of the depository laws of the state, the securities herein mentioned, in addition to such other securities as are prescribed by law, may be accepted to secure such deposits."

Section 4295, as was stated in the former opinion, relates primarily to municipal depositories, but the sentence last quoted relates to all other depositories as well.

The general framework of the township depository law is similar to that of the municipal depository law, in that the trustees, like the council, have the authority to provide for the details "for carrying into effect the authority herein given." (Section 3321 G. C.).

Accordingly, the conclusion reached in the former opinion with respect to the deposit of municipal funds applies to the deposit of township funds. That is to say, unless the township trustees in their resolution provide for the receipt and handling of the registered bonds and the taking of legal title thereto in the name of some officer of the township, the execution of the trust agreement, etc., registered bonds would not be receivable for mere lack of authority on the part of any township officer to accept the trust relation necessary to work out a proper use of registered bonds for this purpose. But if such details are provided for by the resolution of the trustees, then, subject to the qualifications laid down in Opinion No. 1246, such registered bonds may be used as security for the deposit of public funds of the township. Opinion No. 1246 is to be regarded as supplemented accordingly.

Respectfully,
JOHN G. PRICE,
Attorney-General.