

1600.

## APPROVAL, BONDS OF SUGAR CREEK TOWNSHIP SCHOOL DISTRICT, TUSCARAWAS COUNTY—\$6,000.00.

COLUMBUS, OHIO, March 8, 1930.

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

1601.

## TOWNSHIP TRUSTEES—FURNISHING OF GLASSES TO CHILD TO ATTEND SCHOOL AUTHORIZED.

## SYLLABUS:

*Under the provisions of Section 3476, General Code, township trustees may properly furnish glasses to a child in need thereof so as to enable such child to attend school, providing that such child has a legal settlement in the township.*

COLUMBUS, OHIO, March 10, 1930.

HON. F. H. BUCKINGHAM, *Prosecuting Attorney, Fremont, Ohio.*

DEAR SIR:—Acknowledgment is made of your recent communication which reads:

“The County Health Officer of Sandusky County, Ohio, has found a girl going to school in one of the centralized school districts in our county, whose eyes are in such bad shape that she is unable to read ordinary text books and ordinary printing without the aid of glasses.

She attends school at the Rollersville Centralized School in Sandusky County, but lives in Freedom Township, Wood County. This school district is a combined district taking in a part of Sandusky County and a part of Wood County, and it is at the extreme edge of Sandusky County.

This girl has in the past been a public charge; her father being a cripple and unable to work, and has in the past received help from the township trustees of the township in which she lives.

The County Health Officer has taken this girl to an oculist who says that if she is properly fitted with glasses her vision will eventually correct itself so she will have normal eyesight. There has been a controversy as to whether Sandusky County should pay the expense of securing the glasses, or whether the Township Trustees of the township in which she lives should bear the expense.

I would like to have your opinion as to who should supply the glasses for this girl.”

In as much as you state that the child to whom you refer is now a resident of Freedom Township, Wood County, it is believed that Section 3476, General Code, has application to the inquiry which you propound. Said section provides:

“Subject to the conditions, provisions and limitations herein, the trus-

tees of each township or the proper officer of each city therein, respectively, shall afford at the expense of such township or municipal corporation public support or relief to all persons therein who are in condition requiring it. It is the intent of this act (G. C. Sections 3476 et seq.) that townships and cities shall furnish relief in their homes to all persons needing temporary or partial relief who are residents of the state, county and township or city as described in sections 3477 and 3479. Relief to be granted by the county shall be given to those persons who do not have the necessary residence requirements, and to those who are permanently disabled or have become paupers and to such other persons whose peculiar condition is such they can not be satisfactorily cared for except at the county infirmary or under county control. When a city is located within one or more townships, such temporary relief shall be given only by the proper municipal officers, and in such cases the jurisdiction of the township trustees shall be limited to persons who reside outside of such a city."

The section above quoted expressly provides that township trustees shall furnish relief in their homes to all persons needing temporary or partial relief who are residents of the state, county and township as described in Sections 3477 and 3479, General Code. Section 3477 defines legal settlement.

Under these sections it is necessary for one to have resided for a period of twelve months in the township or municipal corporation without public relief in order to acquire legal settlement.

While you do not so state, it will be assumed for the purpose of this opinion that the party to whom you refer has such a legal settlement.

In view of the foregoing and upon the facts stated and assumed, it is my opinion that it is the duty of the township trustees of Freedom Township, Wood County, Ohio, to furnish the child to whom you refer with proper glasses so as to enable her to attend school.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*

1602.

APPROVAL, LEASE FOR RIGHT TO LAY SEWER PIPE FOR DRAINAGE PURPOSES ALONG OHIO CANAL IN LICKING COUNTY—PURE OIL COMPANY, COLUMBUS, OHIO.

COLUMBUS, OHIO, March 10, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval a certain lease indenture executed by you as Superintendent of Public Works, by which there is leased to The Pure Oil Company, of Columbus, Ohio, for a term of fifteen years, the right to lay and maintain a sewer pipe for drainage purposes across and under the bed and banks of the abandoned Ohio canal at a point northeasterly from the northerly line produced of the public road commonly known as the Union Station Road, at Station 262+80 of the Heiby Survey of said Ohio canal property.