

not given within three days after such relief is afforded or services begin, the township or municipal corporation shall be liable only for relief or services rendered after notice has been given. Such trustees or officer, at any time may order the discontinuance of such services, and shall not be liable for services or relief thereafter rendered."

In specific answer to your question, I would say that in view of the foregoing sections and the cited opinions of the Attorney General and in further view of the opinion of the Attorney General as reported in Volume I of the Opinions of the Attorney General for 1923, at page 355, it is my opinion that the costs of an operation performed upon an indigent person who has a legal settlement in the township in which he or she resides must be paid by the township.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

552.

APPROVAL—TRANSCRIPT OF PROCEEDINGS RELATING TO
ABANDONED CANAL LANDS SITUATED IN LIBERTY
TOWNSHIP, FAIRFIELD COUNTY, OHIO.

COLUMBUS, OHIO, May 3, 1937.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: This is to acknowledge the receipt of your recent communication with which you submit for my examination and approval a transcript of your proceedings as Superintendent of Public Works and as Director of said department, relating to the sale to one Peter E. Roshon of Baltimore, Ohio, of a tract of abandoned Ohio Canal lands situated in Liberty Township, Fairfield County, Ohio, the same being a part of Section 24, Town 16 North, Range 19 West, Ohio River Survey, and being more particularly described as follows:

Commencing at a line drawn at right angles through station 1127, of W. H. Heiby's transit line of his survey of the Ohio Canal south of the flume at Buckeye Lake in Fairfield County, Ohio, made under the direction of the Superintendent

of the Public Works of Ohio in the summer of 1913, and extending thence westerly and southwesterly, between the exterior boundary lines of said canal property, including the full width of the bed and embankments thereof, a distance of thirteen hundred and eighty (1380') feet, more or less, measured along said canal survey transit line, to a line drawn parallel to and seventy (70') feet north of the center line of The Toledo and Ohio Central Railway Company's main track, now owned by The New York Central Railway Company, crossing said abandoned Ohio Canal property at station 1141 plus 77.25 of the State's canal survey, and containing five and two-hundredths (5.02) acres, more or less, excepting and reserving to the State of Ohio the right to lease pipe line and pole line rights-of-way along the margins of said canal land, as applied for by the said Peter B. Roshon, when the same is necessary to connect the ends of similar rights-of-way leased by the State of Ohio, east and west of said state land described above.

The above described tract of land is a part of that section of the Ohio Canal which was abandoned for canal purposes by House Bill No. 144 enacted by the 88th General Assembly under date of April 19, 1929, 113 O. L., 524, which act was carried into the General Code as Sections 14203-79 to 14203-89, inclusive.

By Section 3 of this act (Sec. 14203-81, G. C.) the Superintendent of Public Works is authorized to sell the canal lands abandoned for canal purposes by this act subject to the conditions provided for in Section 13971, General Code, and subject further to the conditions specially provided for in this act giving municipalities and abutting property owners, in the order named, a prior right to purchase such lands if application therefor is made within the time prescribed by the act. It appears from a finding made by you and set out in this transcript that neither the village of Baltimore, the territory of which is adjacent to a part of the above described tract of land, nor the owner of any land abutting upon that above described has made any application for the purchase of this property. And I assume that you are selling this tract of land to the purchaser above named under the authority of Section 4 of said act (Sec. 14203-82, G. C.) which provides that if application for the purchase of a particular parcel of such abandoned canal land is not applied for by a municipality or by the owner of abutting lands, the same may then be sold by the Superintendent of Public Works to any one desiring the same.

The appraised value of this tract of land which is named as the consideration for the purchase of the same by Peter E. Roshon is

the sum of \$250.00 and as to this you have made a finding which has been set out in said transcript to the effect that this tract of land cannot be leased so as to yield an income of six per centum upon this appraised value. I assume from this that the condition of the property is such that you cannot lease this property for any purpose or at any price.

In this view and inasmuch as the transcript submitted to me contains all the other findings necessary to be made as a predicate to your authority to sell this property, I am approving this sale as is evidenced by my approval endorsed upon the transcript and upon the duplicate copy thereof, both of which are herewith enclosed.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

553.

APPROVAL—GRANT OF EASEMENT EXECUTED TO THE
STATE OF OHIO BY EMILE E. WATSON, SHARON TOWN-
SHIP, FRANKLIN COUNTY, OHIO, FOR USE AS PUBLIC
FISHING GROUNDS.

COLUMBUS, OHIO, May 3, 1937.

HON. L. WOODDELL, *Conservation Commissioner, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination and approval a certain grant of easement, No. 703, executed to the State of Ohio by Emile E. Watson of Sharon Township, Franklin County, Ohio, conveying to the State of Ohio, for the purposes therein stated, certain tracts of land in said township and county.

The grant herein mentioned conveys to the State of Ohio, certain lands described therein, for the sole purpose of using said lands for public fishing grounds, and to that end to improve the waters or water courses passing through and over said lands.

Upon examination of the above instrument, I find that the same has been executed and acknowledged by the grantor in the manner provided by law and am accordingly approving the same as to legality and form, as is evidenced by my approval endorsed thereon, all of which are herewith returned.

Respectfully,

HERBERT S. DUFFY,
Attorney General.