

between Sections 2655 and 5690, General Code, is by virtue of an inference from Section 5690, General Code. The language of Section 2655, General Code, would include a clear intent on the part of the legislature to eliminate such inference.

Specifically answering your inquiry, it is my opinion that by reason of the provisions of Section 2655 of the General Code, a tenant in common, of real estate in Ohio may not pay his proportionate share of the taxes charged against such real estate unless at the time of such payment the remaining tax which has not been specifically enjoined is paid.

Respectfully,
JOHN W. BRICKER,
Attorney General.

1592.

APPROVAL, TRANSCRIPT OF PROCEEDINGS RELATING TO SALE OF
ABANDONED HOCKING CANAL LANDS IN FAIRFIELD COUNTY,
OHIO.

COLUMBUS, OHIO, September 18, 1933.

HON. T. S. BRINDLE, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of your recent communication submitting for my examination and approval a certain transcript in duplicate of the proceedings relating to the sale to one Noah W. Snoke, of Lancaster, Ohio, of marginal tract No. 20 of abandoned Hocking Canal lands in the city of Lancaster, Ohio, not taken for street or highway purposes. The proceedings relating to the sale of this tract of land have been taken pursuant with authority of House Bill No. 417, enacted by the 89th General Assembly, 114 O. L. 536; and the marginal tract of abandoned canal lands here in question is, I am advised, a tract of such canal lands which is contiguous to and on the margin of the street or highway which the city of Lancaster, under the authority of said act, was authorized to lay out in and upon such abandoned canal lands.

Upon examination of the proceedings relating to the sale of this marginal tract of land as set out in the transcript and as indicated by the recitals therein contained, I find the same to be in conformity to the act of the legislature above referred to; and the legality of the same is hereby approved as is evidenced by my approval endorsed upon the transcript and upon the duplicate copy thereof, both of which are herewith returned.

If a description of this marginal tract of land can be made by metes and bounds from the plat thereof in your office, it is suggested that in the preparation of the deed conveying this land to Mr. Snoke such description be used in addition to the reference to the same as marginal tract No. 20 as delineated and described in the plat on file in your office and in that of the Governor and the Mayor of the city of Lancaster. I make this suggestion for the reason that it does not appear that the plat of the marginal tracts of canal lands formed by the laying out of the street in the city of Lancaster, has been filed of record in the office of the Recorder of Fairfield County.

Respectfully,
JOHN W. BRICKER,
Attorney General.