

thereof may convey such grounds to the trustees of the township and their successors in office. Subject to the rights of the original grantor, his heirs or assigns, the trustees of such township shall accept and take possession of such grounds, and take care of, keep in repair, hold, treat and manage them in all respects as required by law relating to public burying grounds in and belonging to such township.”

The language of the statute is not always conclusive as to its nature whether mandatory or directory. Primarily, we must look to the purpose of the law. The supervision and control of burying grounds in a township must be delegated to some person or persons, and it was doubtless a wise provision of the legislature to delegate this power to the township trustees as they are representative of the township in practically all matters. The management of private or public burying grounds by those having control thereof would necessarily result in a menace and a threat to the public welfare, if not properly cared for, and that was probably the primary reason for the enactment. When there is doubt as to the nature of a statute the language may be consulted in order to dispel such doubt. We re-quote so much of the section as is apropos to your question :

“ \* \* Subject to the rights of the original grantor, his heirs or assigns, the trustees of such township *shall* accept and take possession of such grounds \* \* ” (Italics, ours.)

Therefore, I am of the opinion that Section 3471, General Code, is mandatory.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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14.

APPROVAL—BONDS OF CITY OF AKRON, SUMMIT COUNTY,  
OHIO, \$10,000.00.

COLUMBUS, OHIO, January 16, 1937.

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