

township, the disposal of the case is provided for by Section 3482 of the General Code, which reads:

"When it has been so ascertained that a person requiring relief has a legal settlement in some other county of the state, such trustees or officers shall immediately notify the infirmity superintendent of the county in which the person is found, who, if his health permits, shall immediately remove the person to the infirmity of the county of his legal settlement. If such person refuses to be removed, on the complaint being made by the infirmity superintendent, the probate judge of the county in which the person is found shall issue a warrant for such removal, and the county wherein the legal settlement of the person is, shall pay all expenses of such removal and the necessary charges for relief and in case of death the expense of burial if a written notice is given the county commissioners thereof within twenty days after such legal settlement has been ascertained."

Section 3480-1 provides for the care of non-resident sick indigent persons in the township in which they are located and for the recovery of the cost of the same from the township or municipal authorities of their legal residence. This last mentioned section is the only one providing for the recovery of the expense of caring for indigents by township or municipal authorities in whose district the indigent is temporarily cared for. An examination of the General Code discloses that there is no duty placed upon a township or municipality to care for non-resident indigents other than provided for in Section 3480-1. It appears to have been the intention of the legislature in the enactment of provisions for the care of the poor that township or municipal officials should care for their indigent residents wherever they may be located and no authority is granted township or municipal authorities to care for non-resident indigents and collect for the same from the authorities of the township or municipality in which they have a legal residence. Township authorities and municipal authorities being limited to the exercise of such powers as are granted them by law, the performing of any act not authorized by law therefore becomes illegal.

Specifically answering your inquiry, it is my opinion that the indigent resident of Dayton, now residing in Preble County, cannot be legally provided for by the authorities in Preble County and be reimbursed for the expense thereof by the city of Dayton.

Respectfully,

JOHN W. BRICKER,
Attorney General.

755.

APPROVAL, LEASE TO RESERVOIR LAND AT PORTAGE LAKES,
SUMMIT COUNTY, OHIO—WILLIAM A. BLANK.

COLUMBUS, OHIO, May 2, 1933.

HON. EARL H. HANEFELD, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of a recent communication

over the signature of the Chief of the Bureau of Inland Lakes and Parks of the Division of Conservation in your Department, submitting for my examination and approval a certain reservoir land lease in triplicate, executed by the Conservation Commissioner to one, William A. Blank, of Canal Fulton, Ohio. By this lease, which is one for a stated term of fifteen (15) years and for an annual rental of Six Dollars (\$6.00) there is granted to the lessee above named, the right to occupy and use for boathouse, dock-landing and walkway purposes, the waterfront and state land in the rear thereof, that lies immediately along the south side of Lot Number 9 of the Lakeview Terrace Addition at Turkey Foot Lake, in the Portage Lakes Territory.

Upon examination of this lease, I find that the same has been properly executed by the Conservation Commissioner and by William A. Blank, the lessee named in this lease. I likewise find from an examination of the provisions of the lease and of the conditions and restrictions therein contained, that the same are in conformity with Section 471, General Code, under the authority of which section this lease is executed and with other sections of the General Code of this state, relating to leases of this kind.

I am accordingly approving this lease as to legality and form as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

JOHN W. BRICKER,
Attorney General.

756.

APPROVAL, LEASE TO OHIO CANAL LANDS IN COSHOCTON COUNTY, OHIO.

COLUMBUS, OHIO, May 2, 1933.

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

DEAR SIR:—You recently submitted for my examination and approval, a certain canal land lease in triplicate, executed by the State of Ohio to you, as Superintendent of Public Works, and as Director of said Department, to one, William Sills, Isletta, Ohio.

By this lease, which is one for a term of fifteen (15) years, and which provides for an annual rental of Twelve Dollars (\$12.00) there is demised and granted to the above named lessee, the right to occupy and use for cottage site and agricultural purposes, that portion of the Ohio Canal property, including the full width of the bed and banks thereof, located in Oxford Township, Coshocton County, Ohio, which is more particularly described as follows:

“Beginning at a line drawn at right angles through Station 3094 on the transit line of the G. F. Silliman survey, and running thence westerly with the lines of said canal property, one hundred (100) feet, to a line drawn at right angles through Station 3095; reserving therefrom any portion of the above described property that may be occupied by the public highway.”