

1423.

APPROVAL, TRANSCRIPT, COVERING PROCEEDINGS FOR PROPOSED SALE TO J. HOMER JOHNSON OF NEWARK, OHIO, OF PORTION OF ABANDONED NORTH FORK FEEDER TO OHIO CANAL IN CITY OF NEWARK, OHIO—APPRAISEMENT OF PROPERTY BEING \$6,666.67.

COLUMBUS, OHIO, May 5, 1924.

Department of Highways and Public Works, Division of Public Works.

GENTLEMEN :—Receipt is acknowledged of your letter of recent date, submitting for my examination transcript, in duplicate, covering proceedings for the proposed sale to J. Homer Johnson of Newark, Ohio, of a portion of the abandoned North Fork Feeder to the Ohio Canal in the City of Newark, Ohio.

The proposed sale is contemplated in conformity with the provisions of sections 13971 and 14203-23 of the General Code of Ohio, and of the act of March 6, 1913.

It is noted from the transcript the appraisement of the property was made at the sum of \$6,666.67, that said lands are proposed to be sold as the result of a public vendue, being held at the door of the court house of Licking county, Ohio, at 12:00 noon, on April 22, 1924, after advertisement of such vendue in The Newark Daily Advocate and The Newark American Tribune on March 21, 1924, and at which vendue the said J. Homer Johnson bid for said lands the sum of \$8,050.00, which was the highest and best bid.

Finding, as I do, that the proceedings as shown by the transcript are in conformity to law, I am indicating my written approval to the proposed sale by signing the duplicate transcript, returned herewith.

Respectfully,

C. C. CRABBE,

Attorney General.

1424.

APPROVAL, TRANSCRIPT, COVERING PROCEEDINGS FOR PROPOSED SALE TO SIDNEY S. BROWN OF TRACT OF 1692 SQUARE FEET OF ABANDONED CANAL LAND A SHORT DISTANCE WEST OF ELEVENTH STREET, NEWARK, OHIO—APPRAISEMENT OF PROPERTY BEING \$200.00.

COLUMBUS, OHIO, May 5, 1924.

Department of Highways and Public Works, Division of Public Works, Columbus, Ohio.

GENTLEMEN :—Receipt is acknowledged of your letter of recent date submitting for my examination transcript, in duplicate, covering proceedings for the proposed sale to Sidney S. Brown of a tract of 1,692 square feet of abandoned canal land a short distance west of Eleventh street in the City of Newark, Ohio.

The proposed sale is contemplated under the provisions of sections 13971 and 14203-22-23 of the General Code.

I note from the transcript that appraisement of this property has been made at \$200.00.

Finding, as I do, that the proceedings as shown by the transcript are in conformity to law, I am indicating my written approval to the proposed sale by signing the duplicate transcript, returned herewith.

Respectfully,
C. C. CRABBE,
Attorney General.

1425.

PHYSICIAN MAY BE EMPLOYED AS HEALTH COMMISSIONER BY
TWO OR MORE HEALTH DISTRICTS.

SYLLABUS:

A physician may be employed by two or more health districts as health commissioner on a part time basis, when it is physically possible for one to do so.

COLUMBUS, OHIO, May 5, 1924.

HON. JOHN E. MONGER, *Director of Health, Columbus, Ohio.*

DEAR SIR:—I am in receipt of your recent communication as follows:

“Section 1261-19 G. C. provides:

“The (general) district board of health shall appoint a district health commissioner upon such terms and for such periods of time, not exceeding two years, as may be prescribed by the district board. Said appointee shall be a licensed physician and shall be secretary of the board and shall devote such time to the duties of his office as may be fixed by contract with the district board of health.”

Section 4408 G. C. provides:

“In any city health district, the board of health or person or persons performing the duties of a board of health shall appoint for whole or part time service a health commissioner and may appoint such public health nurses, clerks, physicians and other persons as they deem necessary.”

“With the sanction of this department and in the belief that such action was legal, the board of health of a general health district and the board of health of a city health district located in the same county, have by mutual agreement selected the same physician to serve on a part time basis as health commissioner in each district.”

“Please let me know if there is such incompatibility in these two offices as would make such employment illegal.”

Section 1261-19, General Code, as far as pertinent, provides:

“* * * The district board of health shall appoint a district health commissioner on such terms, and for such period of time, not exceeding two years, as may be prescribed by the district board. Such appointee shall be a licensed physician and shall be secretary of the board and shall devote such time to the duties of his office as may be fixed by contract with the district board of health.”

This section relates to general health districts and provides for the appointment of a district health commissioner for a term not to exceed two years, provides that