

**OPINIONS**  
**OF THE**  
**ATTORNEY GENERAL**  
**OF**  
**OHIO**  
**FOR THE**  
**PERIOD FROM JANUARY 4, 1963**  
**TO DECEMBER 31, 1963**

---

**Pages 1-680**  
**Index 681-694**  
**Opinions 3518-3548**  
**3-753**

---

Columbus Blank Book Company  
Columbus, Ohio 43207  
1966  
Bound by the State of Ohio



1942-1943

1942-1943



1942-1943

1942-1943

## ATTORNEYS GENERAL OF OHIO

---

HENRY STANBERY .....	1846-1851
JOSEPH McCORMICK .....	1851-1852
GEORGE E. PUGH .....	1852-1854
GEORGE W. McCOOK .....	1854-1856
FRANCIS D. KIMBALL .....	1856-1857
C. P. WOLCOTT .....	1857-1861
JAMES MURRAY .....	1861-1863
LYMAN R. CRITCHFIELD .....	1863-1865
WILLIAM P. RICHARDSON .....	1865-
CHAUNCEY N. OLDS .....	1865-1866
WILLIAM H. WEST .....	1866-1870
FRANCIS B. BOND .....	1870-1874
JOHN LITTLE .....	1874-1878
ISAIAH PILLARS .....	1878-1880
GEORGE K. NASH .....	1880-1883
D. A. HOLLINGSWORTH .....	1883-1884
JAMES LAWRENCE .....	1884-1886
JACOB KOHLER .....	1886-1888
DAVID K. WATSON .....	1888-1892
JOHN K. RICHARDS .....	1892-1896
F. S. MONNETT .....	1896-1900
J. M. SHEETS .....	1900-1904
WADE H. ELLIS .....	1904-1908
U. G. DENMAN .....	1908-1911
TIMOTHY S. HOGAN .....	1911-1915
EDWARD C. TURNER .....	1915-1917
JOSEPH McGHEE .....	1917-1919
JOHN G. PRICE .....	1919-1923
C. C. CRABBE .....	1923-1927
EDWARD C. TURNER .....	1927-1929
GILBERT BETTMAN .....	1929-1933
JOHN W. BRICKER .....	1933-1937
HERBERT S. DUFFY .....	1937-1939
THOMAS J. HERBERT .....	1939-1945
HUGH S. JENKINS .....	1945-1949
HERBERT S. DUFFY .....	1949-1951
C. WILLIAM O'NEILL .....	1951-1957
WILLIAM B. SAXBE .....	1957-1959
MARK McELROY .....	1959-1963
WILLIAM B. SAXBE .....	1963-

STAFF OF THE OFFICE OF THE ATTORNEY GENERAL

William B. Saxbe	<i>Attorney General</i>
Gerald A. Donahue	<i>First Assistant Attorney General</i>
Larry H. Snyder	<i>Chief Counsel</i>
Perry J. Bailes	<i>Assistant Attorney General</i>
William C. Baird	" " "
Floyd A. Banker	" " "
Dale E. Barnard	" " "
John R. Barrett	" " "
Allen J. Bartunek	" " "
Robert A. Batross	" " "
Herd L. Bennett	" " "
Leonard Berkley	" " "
Jacob J. Boesel	" " "
H. William Bowers	" " "
Robert E. Boyd	" " "
David A. Bradley	" " "
Larry G. Brake	" " "
William R. Brofman	" " "
Charles A. Brown	" " "
William W. Brown	" " "
Lillian W. Burke	" " "
Paul A. Burson	" " "
Lloyd W. Burwell	" " "
Thomas H. Busch	" " "
George L. Carpenter	" " "
Craig Carnes	" " "
John O. Celusta	" " "
E. Donna Cherrill	" " "
Bernard T. Chupka	" " "
John Cianflona	" " "
William A. Clark	" " "
Clifford R. Cloud	" " "
Donald M. Colasurd	" " "
John R. Cole	" " "
William M. Collins	" " "
John J. Connors, Jr.	" " "
Pierce E. Cunningham	" " "
William L. Curtice, Jr.	" " "
Donald A. DeCessna	" " "
Anthony M. DeJute	" " "
David B. Dickson	" " "
Allen D. Dobnicker	" " "
Marshall B. Douthett	" " "
Robert M. Duncan	" " "
Eagleton F. Dunn	" " "
James M. Dunphy	" " "
Winifred A. Dunton	" " "

Hubert C. Dutro, Jr. ....	"	"	"
Chester R. Early .....	"	"	"
Richard D. Eisenberg .....	"	"	"
John O. England .....	"	"	"
Eugene P. Everhart .....	"	"	"
Angelo A. Fanelly .....	"	"	"
Jay C. Flowers .....	"	"	"
Frederick D. Freed .....	"	"	"
Don E. Fuller .....	"	"	"
John A. Galbraith .....	"	"	"
James S. Gallas .....	"	"	"
Frank J. Galownia .....	"	"	"
Don R. Gardner .....	"	"	"
Ralph C. Godwin .....	"	"	"
Paul J. Gnau .....	"	"	"
Ted R. Greiner .....	"	"	"
Kenneth S. Hampton .....	"	"	"
Alfred F. Hansen .....	"	"	"
William T. Hayes .....	"	"	"
Bernard L. Heffernan .....	"	"	"
Donald A. Hertlein .....	"	"	"
Thomas Hess .....	"	"	"
Theodore K. High .....	"	"	"
Clair P. Hoffman .....	"	"	"
Walter J. Howdysshell .....	"	"	"
Thomas C. Hughes .....	"	"	"
Bart R. Hynes .....	"	"	"
Sewall F. Jackson .....	"	"	"
Donald L. Jones .....	"	"	"
J. Newton Jones .....	"	"	"
Edwin C. Johnston .....	"	"	"
Harry N. Kandel .....	"	"	"
Thomas J. Keenan .....	"	"	"
David L. Kessler .....	"	"	"
Herman F. Klein .....	"	"	"
Charles F. Knapp .....	"	"	"
Harold A. Knouff .....	"	"	"
Vincent P. Korey .....	"	"	"
Victor S. Krupman .....	"	"	"
Thomas W. Lane .....	"	"	"
Bruno Lang .....	"	"	"
Duane Lantz .....	"	"	"
Louis R. Lanza .....	"	"	"
Walter M. Lawson, Jr. ....	"	"	"
Andrew Lee, Jr. ....	"	"	"
William L. Leonard .....	"	"	"
Harry Lewis .....	"	"	"
Edgar L. Lindley .....	"	"	"
John R. Lindsey .....	"	"	"

J. Richard Lumpe	..	..	..
Eli Manos	..	..	..
C. Richard Marsh	..	..	..
Paul Marshall	..	..	..
Joseph M. Masters	..	..	..
George E. Mastics	..	..	..
Francis V. May	..	..	..
John F. McIlargey	..	..	..
Francis C. McNally	..	..	..
Marvin Melamed	..	..	..
Russel S. Milanick	..	..	..
Joseph C. Morehart	..	..	..
David E. Morgan	..	..	..
Thomas S. Moulton	..	..	..
Valla B. Mowery, Jr.	..	..	..
Edward R. Ostrander	..	..	..
James L. Ostrander	..	..	..
Robert B. Oglesby	..	..	..
Edward R. Patton	..	..	..
Harry R. Paulino	..	..	..
John E. Peck	..	..	..
Robert J. Perry	..	..	..
Frank J. Petsche	..	..	..
Ferd M. Pickens	..	..	..
Joseph J. Pizarro	..	..	..
Joseph J. Poorman	..	..	..
William D. Radcliff	..	..	..
James E. Rattan	..	..	..
Clark G. Redick	..	..	..
Arthur J. Reid, Jr.	..	..	..
Fred G. Reiners	..	..	..
I. Charles Rhoads	..	..	..
Jerry L. Riseling	..	..	..
Shearl J. Roberts	..	..	..
William A. Rogers, Jr.	..	..	..
Myron S. Rudd	..	..	..
Terrence M. Scherrer	..	..	..
Edward L. Sepessy	..	..	..
Clarence L. Sharpe	..	..	..
Franklin Sheeter	..	..	..
William H. Smith	..	..	..
Henry R. Snyder	..	..	..
Morris M. Sokolsky	..	..	..
Socrates J. Space	..	..	..
Leo P. Stark	..	..	..
Stephen J. Takacs	..	..	..
Harold B. Talbott	..	..	..
Daronne R. Tate	..	..	..
Charles J. Tekulve	..	..	..

Mell G. Underwood, Jr. ....	”	”	”
John D. Valentine .....	”	”	”
Alvin C. Vinopal .....	”	”	”
George V. Voinovich .....	”	”	”
John J. Waldeck .....	”	”	”
Jerry Weiner .....	”	”	”
Neva H. Wertz .....	”	”	”
Joanne Wharton .....	”	”	”
Frederic E. Whitker .....	”	”	”
Robert H. Whitney .....	”	”	”
George L. Widican .....	”	”	”
Glen A. Williams .....	”	”	”
Robert N. Wistner .....	”	”	”
Paul T. Zellers .....	”	”	”
Jon A. Ziegler .....	”	”	”

# INDEX

References are to 1963 Opinion numbers.

**ABATEMENT, CERTIFICATE OF**—See **TAXATION**, at *Certificate of abatement.*

**AGRICULTURAL SOCIETY**

Fairgrounds leased, exploration, development 720  
 Gas and oil lease 720  
 Oil and gas lease 720

**AIRPORT**

Agency, bi-county, legal adviser 95  
 Bi-county legal adviser 95  
 Concession 3530  
 County construction 3530  
 Lease, county to private party 3530  
 Lease, of space 363  
 Overtime, premium pay, emergency 106  
 Restaurant, lease 363

**AIRPORT AUTHORITY**

Airport zoning board 449  
 Hazard regulations, military airport 449  
 Multi-county area, authority 449  
 Seal, official 19  
 Zoning regulation 449

**ALCOHOLIC BEVERAGES**

Board of liquor control  
   Hearing, one member 200  
   Order 200  
   Reopening case 200  
 Bowling team sponsorship, retail liquor premises 556  
 Club, defined 112  
 Club limitations 112  
 Distributor sponsoring bowling team 556  
 Manufacturer sponsoring bowling team 556  
 Permit  
   C, D, issuance 112  
 More than one permit 112  
 Restrictions 112

**ANIMALS**

Dog, impounding 101  
 Quarantine enforcement 101

**ANNEXATION OF LAND**

Election, effect 102

**APPEAL**

Lis pendens 102  
 Workmen's compensation 286

**APPORTIONMENT**

Tax funds, county commissioners 748

**ATOMIC ENERGY**

Coordinator  
 Vacation, unused, compensation 20

**ATTORNEY AT LAW**

Assigned, prosecution by information 105  
 Waiver by defendant 448

**AUDITOR**

County  
   Compatibility with township hospital district board member 565  
   Easement for highway purposes 484  
   Penalty, tax 753  
   Property leased for private parking, assessment 446  
 County  
   Tax assessment, cancellation 3520  
   Tax penalty 753  
 Enclosures, mailing 555  
 Lis pendens 102  
 State  
   Term, expired Audit 3529  
 Warrant, charge of costs 55

**BANK**

Superintendent, public officer 56

**BOARD OF ELECTIONS—**

See **ELECTION**, at *Board of Elections.*

**BOARD OF LIQUOR**

**CONTROL**—See **ALCOHOLIC BEVERAGES.**

**BONDS, INVESTMENT**

County hospital, for, pre-requisites 3  
 Joint county ditch improvement 194  
 Notes  
   Fire equipment, for 166  
   Funds, not from tax levy 167  
   Offer to bank 3533  
   Tax levy, amounts 166  
 Sale  
   Notes, offer to bank 3533

<b>BOND, SURETY</b>		<b>Jurisdiction, concurrent, in misdemeanor case</b>	397
Developer, construction of roads	398	Misdemeanor, concurrent jurisdiction	397
<b>BOWLING TEAM</b>		Notary fees	133
Sponsorship by liquor manufacturers and distributors	556	Probation officer and deputy sheriff, compatibility	502
<b>BUILDING AND LOAN ASSOCIATION</b>		<b>COMMUNITY IMPROVEMENT CORPORATION—See also INDUSTRIAL, ECONOMIC DEVELOPMENT.</b>	
Installment contract, real estate	189	Agency of political subdivision, as	600
Loan secured by lien on real estate	189	Articles of incorporation	600
Purchase of VA installment contract	189	Jurisdiction, territorial	600
Realty loan, razing buildings	337	Overlapping territorial jurisdiction	600
Superintendent, unused vacation	56	Purposes	268
VA loan, security	189	Territorial jurisdiction	600
		Territory	600
<b>CEMETERY</b>		<b>COMPATIBILITY OF OFFICES</b>	
Township		—See OFFICE, PUBLIC, COMPATIBILITY.	
Annexation, village ownership	26	<b>CONFLICT OF INTEREST—</b>	
Village		See OFFICE, PUBLIC, COMPATIBILITY.	
Township cemetery annexed	26	<b>CONSTABLE</b>	
<b>CHILDREN'S HOME— See also DETENTION HOME.</b>		Appointment	259
Compensation for duties and chores	506	Uniform approval	259
Inmate, duties and chores, compensation	506	Vehicle marking	259
School district, tuition responsibility	545	Witness, incompetent	259
School residence	545	<b>CONTRACT</b>	
Services, inmate or ward	506	County, by, engineering services	83
Transfer to different site	594	County hospital construction, accurate estimates	566
Ward, compensation, duties	506	Employee, public, rescission	512
Working inmate	506	<b>CORONER</b>	
<b>CHILD WELFARE BOARD— See WELFARE DEPARTMENT.</b>		Inquest	470
<b>CITY—See MUNICIPAL CORPORATION.</b>		Jurisdiction, limitation	470
<b>CIVIL SERVICE</b>		<b>CORPORATION</b>	
Board of township trustees, compatibility	39	Foreign, mail order	158
Deputy village marshal	123	<b>COUNSEL—See ATTORNEY AT LAW.</b>	
Lay-off	620	<b>COUNTY</b>	
<b>CLERK OF COURTS</b>		Auditor—See AUDITOR.	
Resignation, prospective, effect	572	Board of education—See EDUCATION, BOARDS OF.	
<b>COMMON PLEAS COURT</b>		Children's home—See CHILDREN'S HOME; DETENTION HOME.	
Counsel, assignment	105	Delinquent children—See DETENTION HOME..	
Defendant prosecuted by information	105		
Deputy sheriff and probation officer, compatibility	502		

Dependent children—See CHILDREN'S HOME; DETENTION HOME.	
Detention home—See DETENTION HOME.	
Ditch—See JOINT COUNTY DITCH.	
Dog warden, rabies quarantine	101
Electrical examination, fee, license	331
Engineer, certificate of funds available	83
Fair—See FAIRS, at <i>County</i> .	
Fire protection—See FIRE DEPARTMENT.	
Fairgrounds	
Gas and oil lease revenue	720
Highway—See HIGHWAYS AND ROADS at <i>County</i> .	
Hospital—See HOSPITAL, at <i>County</i> .	
Hospital construction, accurate estimate	566
Neglected children—See DETENTION HOME.	
Property, real, not needed for public use, lease	446
Road—See HIGHWAYS AND ROADS, at <i>County</i> .	
Warrants, costs, charge to auditor	555
Weights—See WEIGHTS AND MEASURES.	
<b>COUNTY COMMISSIONERS</b>	
Airport—See also AIRPORT.	3530
Airport facility, lease of space in	363
Airport zoning board participation	449
Certificate of funds Required, when	83
Children's home, transfer to different site	594
Child welfare board member, removal	561
Contract, private engineering service	83
Detention home educational funds	261
Dog warden	101
Electrical contractor, license	331
Employees welfare department, lay-off	620
Engineer, employee relationship	83
Fairground development, revenue	720
Fairgrounds lease	720
Fire activity message	16
Fire department—See FIRE DEPARTMENT.	
Funds, transfer	195
Gas and oil lease, fairgrounds	720
Hearing, public, notice	395
Hospital—See HOSPITAL, at <i>County</i> .	
Insurance, liability	492
Joint board	
Ditch improvement	194

Leasing fairgrounds	720
Leasing vehicle for retarded children	5
Liability insurance	492
Location, transfer of county children's home	594
Oil and gas lease, fairgrounds	720
Parking meter, city, ejection	6
Performance bond	398
Plat refusal	398
Platting requirement, exception	358
Private road, plat refusal, specification	398
Public hearing, reasonable notice	395
Real estate assessment funds, transfer	195
Road boundary, establishing, funds	129
Roads—See HIGHWAYS AND ROADS, at <i>County</i> .	
Street, etc., dedication, exception	358
Tax funds apportioned	748
Transportation and lands use studies, cooperation in preparing	595
Tuition, mentally retarded	5
Welfare department director, appointment, discharge	620

<b>COUNTY COURT</b>	
Judge and village solicitor, compatibility	361
Judgeship, abolishing	479
Jurisdiction, misdemeanor cases	397
Misdemeanor, jurisdiction	397
Municipal court preempting	479
Consulting highway engineers, employment	595

<b>COUNTY RECORDER</b>	
Filing officer, duties	668
Financing statement	668
Financing statement, indexing	668
Indexing financing statement covering fixtures	668
Real estate mortgage record	668

<b>COUNTY RECORDS COMMISSION</b>	
Disposal of hospital patient—medical records	447
Hospital patient—medical records, disposal	447

<b>DEATH</b>	
Employee, public	40
Motor vehicle certificate of title, applicant	7
Suspicious, inquiry jurisdiction	470

<b>DEFENDANT</b>	
Counsel, waiver	448
Indictment, prosecution by	448
Information, prosecution by	448

<b>DEFINITIONS</b>		<b>DOG WARDEN</b>	
Club, liquor permit	112	Impounding powers	101
County road	3546		
Employee, public, separation from service	40	<b>EASEMENT</b>	
Fireman's salary	737	Highway purposes, taxation	484
Highways and roads, county, ownership	3546		
Officer, public	20	<b>ECONOMIC DEVELOPMENT—</b>	
Policeman's salary	737	See <b>INDUSTRIAL, ECONOMIC DEVELOPMENT.</b>	
Purchaser, motor vehicle	7	<b>EDUCATION, BOARDS OF</b>	
Security interest	219	Athletic fund expenditure	
		Football equipment	157
<b>DELINQUENTS—See DETENTION HOME.</b>		Bus transportation, parochial, private school	517
		Caterer, contract with	455
<b>DEMOLITION</b>		Consultant, as	455
Building, effect on loan	337	School lunch	455
		Classroom, portable building	501
<b>DENTIST</b>		Clerk, city school district and board of elections, compatibility	544
National examination certificate	143	Conflict of interest	122
State board		County, transfer of territory	96
Compensation	143	Delinquents—See <b>DETENTION HOME.</b>	
Duties	143	Depository, inactive funds	751
National board examinations	143	Eligibility, joint vocational school district board	662
		Eye protective device	542
<b>DEPARTMENT OF DEVELOPMENT</b>		Insurance, liability	
Duties	472	Premiums varying	61
Federal funds	472	Joint use of property	662
Grant	472	Joint vocational school district	662
Planning assistance	472	Legal title, property transferred	96
		Married student	120
<b>DEPOSITORY</b>		Member	
Inactive funds, school district	751	Compatibility, board of elections clerk	103
School district, inactive funds	751	Resignation, withdrawal	24
		Mentally deficient training, payment	18
<b>DETENTION HOME—See also CHILDREN'S HOME.</b>		Mentally retarded—See <b>MENTALLY DEFICIENT.</b>	
County educational expense	261	Non-teaching employee—See <b>School at Employee, Non-Teaching.</b>	
See also <b>CHILDREN'S HOME</b>		Option to buy portable building	501
Education costs	553	Parochial, private school bus transportation	517
Education expenses	261	Portable building, rental	501
Placement	553	President	
School district, educational expense	261	Bank officer, as, voting restricted	122
School district to pay education costs	553	Property, joint use	662
		Property, rental	501, 662
<b>DEVELOPMENT—See DEPARTMENT OF DEVELOPMENT.</b>		Recreational fund monies	
		Football equipment, for	157
<b>DEVELOPMENT CORPORATION—See INDUSTRIAL, ECONOMIC DEVELOPMENT.</b>		Rental against purchase price	501
		Rental of property	662
<b>DITCH</b>		Renting portable building	501
Joint county, improvement bonds	194	Rules and regulations adopted	120
		School supplies—See <b>SCHOOL at Supplies.</b>	
<b>DOCTOR—See PHYSICIANS.</b>		Social club prohibited	120
<b>DOG—See ANIMALS.</b>		Sports equipment	157
		Student, married	120

Transportation, parochial, private school	517
Voting	
Conflict of interest	122
<b>EJECTMENT</b>	
City, against	6
<b>ELECTION</b>	
Annexed territory, effect	102
Board of elections	
Deputy clerk, compatibility, board of education	103
Insurance, liability, private building	55
Candidate, primary election	478
Clerk, board of elections and city school district, compatibility	544
Defeated primary candidate, restrictions as to general election	478
Expense statement, failure to file	485
Board failure to give notice	485
Fluoridation of water, resolution	107
General election candidate	478
Lis pendens	102
Polling place	
Private, liability insurance	55
Primary	
Candidate	478
Expense statement, failure to file	485
School district, and transfer	17
<b>ELECTRICAL CONTRACTOR</b>	
Examinations	331
License, fee	331
<b>EMPLOYEE, PUBLIC</b>	
Accumulated vacation, compensation	666
Anniversary, computation	40
Atomic energy coordinator, as	20
Benefits, sick leave	500
Charter municipality, sick leave benefits	500
Contract rescinded	512
Defined	56
Employee-notary public fee	133
Full-time employee, sick leave benefits	500
Hourly rate	512
Lay-off, temporary	620
Military leave	
Vacation; sick leave	3518
Overtime pay	512
Prosecuting attorney employee, notarial service compensation	133
Rescinding contract	512
School—See SCHOOL.	
Separation from service defined	40
Service credit	
Military leave	3518
Sick leave benefits	500
Sick leave, military leave of absence	3518

<b>Vacation</b>	
Accumulation, compensation, rate	3548
Computation, anniversary date	40
Death	40
Military leave of absence	3518
State service defined	40
Unused, compensation	20, 56, 3548
Unused, person entitled to compensation	3548
Unused, rate of pay	56
Unused, service calculated	40
Vacation leave, earned and unused	666
Vacation pay, prorated	666
Welfare department, lay-off	620

#### EMPLOYEES RETIREMENT SYSTEM

Fireman members, township	346
Fireman's pension, improperly deducted funds	346

#### EMPLOYMENT AGENCY

Theatrical booking	260
--------------------	-----

#### ENGINEER

County, office location	152
Employee relationship	83

#### ENGINEER, COUNTY—See COUNTY ENGINEER.

#### EVIDENCE

Radar reading, admissibility	396
------------------------------	-----

#### FAIRGROUNDS

Development, for other use	720
Gas and oil lease, revenue	720
Lease	720

#### FAIRS

County	
Funds, use	23
Motor vehicle fuel tax, use	23
State—See OHIO STATE FAIR	

#### FEEES AND COSTS

Electrical contractor	331
Emergency room service, hospital	82
Financing statement fee	417
Notary public	133
School supplies	153
Security agreement	417
Warrant, county	555
Zoning variance	218

#### FINANCE DEPARTMENT

Director, unused vacation	3548
---------------------------	------

**FINANCING STATEMENT**

Fee 417  
 Filing 219  
 Filing fee 417  
 Fixture, covering, index 668  
 Form 219  
 Indexing 668  
 Legal requirements 219  
 Real estate mortgage records 668  
 Responsibility for information 668  
 Secured party's responsibility for information 668  
 Security interest, personal property and fixtures 219

**FIRE DEPARTMENT**

Base radio station 16  
 Base radio station funds 270  
 Contract for protection of out-of-state property 599  
 County funds, base radio station 270  
 Employees retirement system, membership 346  
 Fire fighting equipment 560  
   Notes for 166  
 Fireman, qualifications, township 346  
 Life squad 560  
 Longevity compensation 737  
 Member, residency 408  
 Notes, issuance, tax levy 166  
 Out of state protection 599  
 Pension fund deduction 737  
   See also EMPLOYEES RETIREMENT SYSTEM;  
   FIREMEN'S RELIEF AND PENSION FUND.  
 Private fire company, radio use 270  
 Radio station 16  
 Radio station base, county county intercommunication 270  
 Referendum vote, fire regulation 408  
 Rescue vehicle 560  
 Salary defined 737  
 Township  
   Appointment, code of regulations 346  
   Residence requirement 408  
 Uniform allowance 737

**FIREMEN'S RELIEF AND PENSION FUND**

Fund member 719  
 Funds improperly credited 346  
 Member of the fund 346  
 Re-employment status 719  
   Benefits 719  
 Township, mandatory maintenance 346  
 Trustee 346  
   Mandatory service 346  
 Voluntary cessation of membership 719

**FIXTURES**

Financing statement covering, index 668

**FOREIGN CORPORATION**

Mail order 158

**FUNDS, PUBLIC**

Highway and road, establishing boundary 129  
 Industrial and economic development, for 268  
 Insurance, liability 492  
 Liability insurance 492  
 Real estate assessment fund, transfer 195  
 Survey, private corporation 268  
 Transfer, county commissioners 195  
 Unlawful insurance 492

**GAMBLING**

Lottery  
   Mail order purchase 158  
 Mail order purchase 158

**GAS AND OIL LEASE**

County commissioners  
   Fairgrounds 720

**GASOLINE TAX**

Funds  
   Survey, etc., used for 129  
   Use limited 152  
 Funds, use 23

**HEALTH DISTRICT**

Board member and township clerk, compatibility 559

**HIGHWAY DEPARTMENT**

Director, road mileage authority 338

**HIGHWAYS AND ROADS**

Boundary, establishing, funds 129  
 Certification, road mileage 338  
 Construction of private road  
   Performance bond may be required 398  
 Consulting engineer, employment 595  
 Contract, consulting engineer 595  
 County  
   Boundary, establishing, expenses 129  
   Construction, funds 3546  
   Defined, jurisdiction 3546  
   Equipment and buildings 152  
   Funds, use limited 152  
   Jurisdiction 3546  
   Mileage calculated 3546  
   Mileage, certification 338  
   Road machinery storage 152  
 Easement, removal from tax duplicate 484  
 Gasoline excise tax—See GASOLINE TAX.  
 Highway construction fund, use 152  
 Major thoroughfare report 595

Motor vehicle fuel excise tax— See GASOLINE TAX.	
Multiple-purpose building, county funds	152
Ownership defined	3546
Patrolman, investigating, false information	557
Radar—See SHERIFF, at <i>Radar</i> .	
Road mileage, ratio per mile	338
Survey, expenses	129
Township	
Mileage, certification	338
Transportation, land use studies	595

## HOSPITAL

Board of governors, co-insurer	104
Board of governors, compatibility with county auditor	565
Construction contract, accurate estimate	566
County	
Bond issue prerequisites	3
Commission	3
Construction estimates	566
Construction of permanent improvement, operating funds	3532
Land conveyance	3
Patient—medical record disposal	447
Deferred compensation agreement	104
Director of safety controls	104
Emergency room	
Fees	82
Licensed physician, employment	82
Estimate, construction	566
Funds	
County bond issue, construction	3
Funds, use	3532
Improvement, funds, use	3532
Insurance, employees	104
Insurance, hospital beneficiary	104
Joint township district	
Board member and county auditor, compatibility	565
Medical staff incorporation	82
Member, board of governors and county auditor, compatibility	565
Municipal, insurance	104
Municipal legislative authority, contract	104
Physician, emergency room privileges	82
Professional association employee	82

## HOUSE TRAILER

Delinquent tax	753
Late tax payment	753
Statutory penalty, late payment	753
Tax collection	753
Tax situs	753

## HUMANE SOCIETY

Impounding stray dog, rabies quarantine	101
Rabies quarantine	101

## ILLEGITIMACY

Student, extra-curricular activi- ties, limiting	120
---	-----

## INDICTMENT AND INFORMATION

Counsel	
Waiver	448
Indictment, prosecution by	448
Information, prosecution by	448

## INDUSTRIAL COMMISSION—

See also WORKMEN'S COMPENSATION.	
Appeal pending	286
“De novo” appeal	286
Former board members rendering decision	286
Nunc pro tunc decision	286

## INDUSTRIAL, ECONOMIC DEVELOPMENT

Community improvement corporation	268
Public funds, use	268
State powers	268
Survey	268

## INFORMATION

Prosecution on, assigned counsel	105
----------------------------------	-----

## INITIATIVE AND REFERENDUM

Municipality, powers	107
Village	107
INQUEST	470

## INSTALLMENT SALE

Purchase money mortgage loan, lien	189
---------------------------------------	-----

## INSTITUTION

Detention home—See DETEN- TION HOME.	
Juvenile detention home—See DETENTION HOME.	

## INSURANCE

Board of education purchasing Varying premiums	61
Hospital, municipal	104
Liability, county commissioners	492
Liability, recreation center	492
Polling place, private	55

## JOINT COUNTY DITCH

Assessment, unpaid, interest	194
Improvement, bond issue	194

JOINT VOCATIONAL SCHOOL DISTRICT—See SCHOOL DISTRICT, at <i>Joint vocational, board.</i>		Installment sale contract, VA	189
		Private, to village	349
		Principal, interest payment	349
		Razing building, effect	337
		Realty, on, razing building VA	337
JUDGE—See under <i>individual court.</i>		Lien on realty	189
JUVENILE COURT		LOTTERY—See GAMBLING.	
Delinquent children—See DETENTION HOME.		MAIL ORDER	
Detention home—See DETENTION HOME.		Lottery, Ohio law	158
JUVENILE DETENTION HOME—See DETENTION HOME.		MANDAMUS	
LEASE		Child welfare board, funds for mentally retarded	18
Airport, county	3530	MARSHAL	
Airport facility, in	363	Civil service	123
Fairgrounds	720	Compatibility	
Gas and oil lease, fairgrounds	720	Municipal court clerk	132
Oil and gas, fairgrounds	720	Deputy clerk of courts, compatibility	132
LEASE-PURCHASE AGREEMENT		Mayor, candidate, as	123
Portable school building	501	Political activity	123
LEGISLATIVE AUTHORITY		Political office prohibited	3521
Rules, adoption	3521	Sealer of weights and measures, compatibility	269
Unexpired term	389	MENTALLY DEFICIENT	
Vacancy filled	389	Children, transportation	5
LICENSE		Mandamus, child welfare board	18
Electrical contractors	331	School classroom use	18
Motor vehicle—See MOTOR VEHICLE, at <i>License.</i>		Training, payment, board of education	18
Theatrical booking agency	260	Transportation costs	5
LIEN		Tuition	5
Installment contract, VA real estate sale	189	Board of education	18
Purchase money mortgage loan, VA	189	Nonpayment	18
Real estate loan at time of purchase, VA	189	Nonresident	18
Street assessment, unpaid	203	METROPOLITAN HOUSING AUTHORITY	
LIMITATION OF ACTION		District park commissioner, compatibility	130
Street assessment, unpaid	203	MILITARY SERVICE	
LIQUOR—See ALCOHOLIC BEVERAGES.		Employee, public, leave	3518
LIS PENDENS		Teacher	347
County official bound	102	MINOR	
LOAN		Detention home—See DETENTION HOME.	
Bond issue for repayment	349	MISDEMEANOR	
Illegal	337	Jurisdiction	397
		MORTGAGE	
		Financing statement, index	668
		Fixture, financing statement covering	668
		Installment contract, VA	189

<b>MOTOR VEHICLE</b>	
Certificate of title	
Death of applicant	7
Constable, marking	259
Emergency or rescue car, township acquisition	560
Fuel tax—See GASOLINE TAX.	
Fuel tax revenue, use	23
Gasoline excise tax—See GASOLINE TAX.	
License	
Funds, county	129
Funds, county engineer office expenses	129
License tax	
County costs, roads and highways	152
Purchaser defined	7
<b>MUNICIPAL CORPORATION</b>	
Cemetery—See CEMETERY.	
Drinking water fluoridation voting	107
Ejection, against	6
Employee, sick leave benefits	500
Fire activity message—See FIRE DEPARTMENT.	
Fire department—See FIRE DEPARTMENT.	
Fire protection, out of state Industrial survey—See INDUS- TRIAL, ECONOMIC DEVELOPMENT.	599
Loan, private, principal and interest payment	349
Marshal—See MARSHAL.	
Police department—See POLICE DEPARTMENT.	
Public and private funds, surveys —See INDUSTRIAL, ECO- NOMIC DEVELOPMENT.	
Sick leave benefits	500
Special police, appointment	162
Survey for economic development See also INDUSTRIAL, ECO- NOMIC DEVELOPMENT.	268
Township park annexation	606
Village deputy marshal, candidacy for mayor	123
Village solicitor and county court judge, compatibility	361
Village to city, status of legislative authority	389
<b>MUNICIPAL COURT</b>	
Constable, Ohio State Fair	113
County court judge preempted	479
County-wide jurisdiction	479
Deputy clerk of courts and village marshal, compatibility	132

**MUNICIPALITY—See  
MUNICIPAL CORPORATION.**

<b>NOTARY PUBLIC</b>	
Fee	133
Prosecuting attorney employee, fee compensation	133

**NOTES—See BONDS,  
INVESTMENT.**

**NOTICE—See under individual  
subject.**

<b>OFFICE, PUBLIC, COMPATIBILITY.</b>	
Board of education member and board of elections clerk	103
Board of elections and clerk, city school district	544
Board of elections clerk and board of education member	103
Civil service commission and township trustee	39
Clerk, city school district, and board of elections	544
County auditor and hospital board of governors	565
Deputy sheriff and township clerk	161
Election board clerk and board of education	103
Health district board member and township clerk	559
Hospital board of governors and county auditor	565
Judge, county court, and village solicitor	361
Marshal and municipal court clerk	132
Marshal and sealer of weights and measures	269
Metropolitan housing authority and park commissioner	130
Park commissioner and metro- politan housing member	130
Police chief and sealer of weights and measures	269
Probation officer and deputy sheriff	502
Prosecuting attorney and counsel for township	25
Sealer of weights and measurers and marshal	269
Township clerk and health district board member	559
Township clerk and village solicitor	121
Township trustee and planning commission advisor	109
Village solicitor and judge, county court	361
Village solicitor and township clerk	121

**OFFICER, PUBLIC**  
Bank officer, voting restrictions 122

Child welfare board member, removal	561	PERMIT	
Compatibility—See OFFICE, PUBLIC, COMPATIBILITY.		Liquor	112
County child welfare board member, removal	561	See also LICENSE.	
Defined	20	PHYSICIAN	
Office terminated, unused vacation	56, 3548	Incorporation	82
Resignation, prospective, effect	572	PIPELINE COMPANY	
Superintendent of banks, unused vacation	56	Public utility, as	202
Term, expired		PLANNING COMMISSION	
Audit	3529	County—See PLANNING COMMISSION, COUNTY.	
Vacation, unused		Department of development—See DEPARTMENT OF DEVELOPMENT.	
Compensation	56	Industrial and economic development—See INDUSTRIAL, ECONOMIC DEVELOPMENT.	
OHIO STATE EXPOSITIONS COMMISSION—See OHIO STATE FAIR.		Park land	621
OHIO STATE FAIR		Plat approval	621
Constable	113	Public hearing, reasonable notice	395
Law enforcement	113	Subdivision approval	621
Police protection	113	Territory jurisdiction	621
ORDINANCE OR RESOLUTION		Transportation, land use studies	595
Fluoridation of water, resolution	107	PLANNING COMMISSION, COUNTY	
Initiative or referendum	107	Advisor	
PARK COMMISSIONERS		Township trustee, compatibility	109
Federal grant, township acceptance	407	Amendment, zoning, procedure	77
Gift, acceptance	110	PLANING COMMISSION, REGIONAL	
Long-term use, park facilities	110	County—see PLANNING COMMISSION, COUNTY.	
Metropolitan housing authority, compatibility	130	Department of development—See DEPARTMENT OF DEVELOPMENT.	
Sale of gift land	110	Zoning change	77
Township park gift	110	PLATS AND PLATTING	
PARKING		Dedication	621
County real estate, lease, assessment	446	Filing subdivision plat, exception	358
Court square, lease	446	Park land	621
Meter, city, county ejecting	6	Performance bond guaranteeing private road construction	398
PARKS AND RECREATION		Private roads in subdivision, required width	398
Annexation	606	Refusal	398
Assessment, township	3520	Statutory dedication	621
Bowling team, retail liquor premises—See LIQUOR.		Subdivision, filing exception	358
Dedication	621	Subdivision, refusal	398
Facilities, long-term use arrangement	110	POLICE DEPARTMENT	
Gifts, township	110	Chief	
Millage claimed by park board	606	Sealer of weights and measures, compatibility	269
Recreation center		Deduction, pension fund	737
Liability insurance	492		
Sale of gift land	110		
Statutory dedication	621		
PERFORMANCE BOND—See BOND, SURETY.			

False information to highway patrolman	557	PUBLIC UTILITY	
Highway patrolman, false information to	557	Pipe line company	202
Longevity compensation	737	QUARANTINE	
Municipal, other office, holding	3521	Animal, enforcement	101
Office, other, holding	3521	RABIES	
Pension fund deduction	737	Dog, impounding	101
Political activity	3521	REAL ESTATE—See	
Salary defined	737	PROPERTY, REAL.	
Special investigator, criminal	162	REAL PROPERTY—See	
Special police, appointment	162	PROPERTY, REAL.	
Special, temporary, municipality	162	REAL PROPERTY—See	
Township—See CONSTABLE.		PROPERTY, REAL.	
Uniform allowance	737	RECORDER, COUNTY—See	
POLICE PENSION		COUNTY RECORDER.	
Benefits, retiree-beneficiary employed by second municipality	357	RECORDS COMMISSION—See	
Contribution compulsory	357	COUNTY RECORDS	
Eligibility	357	COMMISSION.	
Police chief, employment of retiree	357	RECREATION—See PARKS	
Retiree-beneficiary, employed by second municipality	357	AND RECREATION.	
PROBATION		REFERENDUM—See INITIA-	
Officer, compatibility with deputy sheriff	502	TIVE AND REFERENDUM.	
PROFESSIONAL ASSOCIATION		REGIONAL PLANNING COM-	
Physicians incorporating	82	MISSION—See PLANNING	
PROPERTY, PERSONAL		COMMISSION, REGIONAL.	
Financing statement	219	RESOLUTION—See	
PROPERTY, REAL		ORDINANCE OR	
County, not needed for public use, leased	446	RESOLUTION.	
Mortgage record	668	RETARDED CHILDREN	
Real estate assessment fund—See FUNDS, PUBLIC.		Transportation	5
PROPERTY, REAL, COUNTY—		See also MENTALLY	
See PROPERTY, REAL.		DEFICIENT.	
PROSECUTING ATTORNEY—		ROADS—See HIGHWAYS AND	
See also EMPLOYEE, PUBLIC		ROADS.	
Airport agency, by-county, legal advice	95	SAFETY DEPARTMENT	
Bi-county airport	95	Director, hospital control	104
Child welfare board, representing	18	SCHOOL	
Compatibility		Athletic field, purchase	157
Township counsel, as	25	Athletic fund expenditures	
Compensation	133	Football equipment	157
Notarial service, compensation	133	Building, portable, rent with option to buy	501
PROSECUTION	448	Bus transportation	517
PUBLIC FUNDS—See FUNDS, PUBLIC.		Caterer, contract with	455
		Classroom, portable building	501
		Contract rescinded	512

Employee, non-teaching		Land transfer, election	17
Contract rescinded	512	Leased land	662
Hourly rate	512	Levy or bond issue, joint voca-	
Overtime pay	512	tional district, submission to	
Explosive solution	542	electors	662
Extra-curricular activity		Private, parochial school	
Football equipment, purchase	157	transportation	517
Married student	120	Tax levy—See TAXATION.	
Rules and regulations	120	Territory, effective date of	
Eye protective device	542	transfer	96
Hourly rate, employee	512	Transfer of land, election	17
Lunch, contract for	455	Transfer of territory, proposed,	
Married student	120	election	17
Mentally retarded—See		Transportation	517
MENTALLY DEFICIENT.		Tuition, mentally deficient	5
Metal working machine	542	Vocational, joint	662
Morals, rules and regulations	120	SEAL	
Non-teaching employee	512	Airport authority	19
Overtime pay	512		
Parochial, private school		SEALER—See WEIGHTS AND	
transportation	517	MEASURES.	
Portable building, rent with			
option to buy	501	SECURITIES DIVISION	
Protective eye device	542	Chief, unused vacation	56
Pupil—See STUDENT.		Superintendent, unused vacation	56
Pupil with illegitimate child	120		
Recreational Fund		SECURITY AGREEMENT	
Football equipment, use	154	Defined	219
Rent of portable building	501	Filing fee	417
Rescinding contract	512	Form	219
Rotary fund, school supplies	153		
Social club prohibited	120	SECURITY INTEREST	
Student—See STUDENT.		Defined	219
Supplies			
Fees	153	SEWERS AND SEWAGE	
Flat rate	153	DISPOSAL	
Hardship case	153	Certificate, public convenience	
Purchased elsewhere	153	and necessity	3531
Rotary fund	153	Engineering, contract for	83
Teacher—See TEACHER.		Private	3531
Tools, use, eye protective device	542	Rate, privately owned	3531
Transportation of retarded chil-		Treatment works construction	3531
dren, vehicle lease	5	County sanitary engineer	3531
Tuition, responsibility for			
children's home inmate	545	SHERIFF	
		Deputy and probation officer,	
SCHOOL DISTRICT		compatibility	502
Board, joint vocational,		Deputy and township clerk,	
appointment	662	compatibility	161
Building on leased land	662	Ohio State Fair law enforcement	113
Bus transportation	517	Radar	396
Children's home inmate, tuition		Evidence, admissibility of	
responsibility	545	reading	396
Clerk, city district and board of			
elections, compatibility	544	SOLICITOR—See VILLAGE	
Depository, inactive funds	751	SOLICITOR.	
Detention home education costs,			
payment	553	SPECIAL POLICE—See POLICE	
Inactive funds, depository	751	DEPARTMENT.	
Joint facilities	662		
Joint vocational		STATE HIGHWAY PATROL	
Tax levy, special election approval	718	Township constable vehicle	
Joint vocational, board	662	marking	259
Juvenile detention home education			
—See DETENTION HOME.			

STATUTE OF LIMITATIONS—

See LIMITATION OF ACTION.

STREET

Assessments	
Unpaid, lien	203
See also HIGHWAYS AND ROADS.	
Private	
Performance bond	398
Plat refusal	398
Required width	398
Repair motor vehicle license fund	129

STUDENT

Extra-curricular activity	
Married student	120
Married	120

SURETY BOND—See BOND, SURETY.

TAXATION

Annexed territory, apportionment	102
Cancellation	3520
Certificate of abatement	391
Tendered for payment	391
Substitution	391
Debt, prior	748
Delinquent	
Civil action	285
Collector, out-of-state, compensation	285
Comity	285
Nonresident, collection from	285
Personal property tax collection, nonresident	285
Easement, highway land	484
Gasoline tax—See GASOLINE TAX.	
Highway easement	484
House trailer	753
Legal assistance, nonresident	285
Levy	
Cancellation	3520
Current operating expenses	154
Special, child welfare	154
Special election approval	
Extension on tax list and duplicate for current year	718
Use of funds, restrictions	154
Levy, excess of ten-mill limitation	
Purpose	154
Levy, joint school district	662
Notes in anticipation, amounts	166
Park, township	3520
Penalty	
Administration	753
Pipeline company as public utility	202
Political subdivisions, each other	3520
Purpose restricts use	154
Special assessment	3520
Street assessment, unpaid	203

Tax list and duplicate	
Extension for current year, special election levy	718
Territorial limits	748
Township park	3520
Transfer of funds	195

TEACHER

Leave of absence	347
Part pay	347
Military service	347
Re-employment	347
Service credit	347

THEATRICAL BOOKING AGENCY

License	260
---------	-----

TOWNSHIP

Annexation by municipality, status of park board	606
Assistant prosecuting attorney, compatibility	25
Cemetery, annexation by village	26
Clerk	
Certification of funds	167
Deputy sheriff, compatibility	161
Health district member, compatibility	559
Village solicitor, compatibility	121
Fire department—See FIRE DEPARTMENT.	
Fire fighting equipment	560
Health district board member and clerk, compatibility	559
Highway and road, mileage certification	338
Joint hospital district board member and county auditor, compatibility	565
Legal counsel, compatibility	25
Manager, creation of position	571
Millage collected, park commissioners	606

New	
Tax for prior obligation	748
Park	

Annexation, municipality	606
Federal grant	407
Park board, millage claimed under municipal corporation	606

Police—See CONSTABLE.

Taxation	
New township, as to	748
See also TAXATION.	

Taxation, territorial limit	748
Territorial limit, taxation	748

Zoning commission—See ZONING COMMISSION, Township.

Zoning ordinance amendment	77
----------------------------	----

TOWNSHIP TRUSTEE

Board of, zoning recommendation	77
Constable—See CONSTABLE.	

County planning commission advisor, compatibility	109	WATER SUPPLY	
Highways and roads, maintenance	3546	Fluoridation, voting	107
Life squad contract	560	WEIGHTS AND MEASURES	
Meeting attendance	3519	Sealer	
Municipal civil service commission, compatibility	39	Police chief, compatibility	269
Notes, sale to bank	3533	WELFARE DEPARTMENT	
Removal, nonattendance	3519	Children's home inmate, school tuition responsibility	545
Rescue vehicle, acquisition	560	Child Welfare Board	
Tax—See TAXATION.		Children's home, transfer to new site	594
Township manager, authority to create	571	Funds, mentally retarded	18
Vacancy, nonattendance	3519	Legal representative	18
TRAILER—See HOUSE TRAILER.		Child welfare board member, removal	561
TREASURER, COUNTY		County child welfare board member, removal	561
Penalty, tax	753	Director, appointment discharge	620
Tax penalty	753	Employees, discharge	620
TREASURY		Funds	
Warrant, charge of costs	555	Use restricted, child welfare	154
TUITION		Lay-off, temporary	620
Mentally deficient child	5	Removal of child welfare board member	561
See also MENTALLY DEFICIENT.		School district residency	545
UTILITY, PUBLIC		Tax levy, child welfare	154
Pipeline company	202	Tuition, local school district	5
VARIANCE		Warrant, processing	555
Zoning, fees	218	WITNESS	
VEHICLE—See MOTOR VEHICLE.		Constable, competency	259
VETERANS ADMINISTRATION		WORKMEN'S COMPENSATION	
Loan, security	189	Appeal, industrial commission	286
VILLAGE—See MUNICIPAL CORPORATION.		Death not covered by workmen's compensation	348
Cemetery, township, annexing City, becoming	26	Disability, unpaid balance to dependents of deceased employee	348
Legislative authority, status of member	389	Eyeglasses, purchase	418
Initiative or referendum	107	Vision loss	418
Legislative authority, filling vacancy	389	ZONING	
Loan, private, principal and interest payment	349	Airport zoning board—See AIRPORT AUTHORITY.	
VILLAGE SOLICITOR		Amendment—See PLANNING COMMISSION, COUNTY; PLANNING COMMISSION, REGIONAL.	
Compatibility of office		Application fee	218
Judge, county court	361	Board of appeals	
Township clerk	361	Conditional zoning certificate	218
		Change, notice	77
		Conditional zoning certificate	218
		Public hearing, township	77
		Variance, fees	218
		ZONING COMMISSION, TOWNSHIP	
		Zoning changes, public hearing	77