OPINIONS

OF THE

ATTORNEY GENERAL

OF

OHIO

FOR THE

PERIOD FROM JANUARY 11, 1949 TO DECEMBER 31, 1949

Pages 1-968 Index 969-1242 Opinions 36-1319

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- 2. In absence of appointment by Controlling Board to position of comptroller, legal title to position can not be asserted.
- 3. Person who serves as comptroller, not fully appointed to position for current biennium, may be said to be a de facto public officer.

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- 2. Where a ditch passes through a municipality, origin and termination outside municipality, county commissioners have no duty to repair or maintain any portion of ditch until petition is filed with them signed by majority of land owners in drainage area-Subsequent proceedings required to establish and maintain fund-Sections 6546 to 6553 G. C.
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ED D. SCHORR, SCHORR, CHASTING, EDWARDS AND STANLEY, Attorneys at law, Columbus, Ohio

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- 1. Stands operated by society for the blind—Items sold—Wrapped candies, chewing gum, soft drinks, tobaccos and related items—Not restaurants as defined in section 843-2 G. C.
- 2. Where such stands located in or on premises of manufacturing plant where sandwiches and coffee are sold to employes of plant and not to general public they are not restaurants.

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SOLDIERS-SAILORS-MARINES-

- 1. Hospital-Board of trustees of county memorial hospital-Not required by law to grant discounts to soldiers, sailors and marines-May in exercise of discretion do so.
- 2. Soldiers, sailors and marines-Words include all former members of army and navy, irrespective as to term of service-Section 3137 G. C.

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- Relief—Person who resides in any county in state and supports himself or herself for twelve consecutive months—Without relief from any agency, charitable organization or benevolent association which investigates and records facts as to those who receive or apply for relief—Such person entitled to relief—Section 2930 et seq., G. C.
- Person once receiving relief in one county of state—Can not gain new legal settlement in another county entitling person to relief in county of new residence so long as person has not supported himself or herself for twelve consecutive months therein—Section 3477 G. C.

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- 1. Residence-Legal settlement-Married woman's that of her husband-Exception, where husband committed to state hospital for mentally ill.
- 2. Where such married woman moves to another county she may acquire legal settlement in such county.

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- 1. Livestock remedies offered for sale in Ohio-Required to be registered and full fee paid by manufacturer or person responsible for placing remedy on market-Amended Substitute House Bill 567, 98 General Assembly-Period October 27, 1949, effective date of Act to December 31, 1949.
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