

OFFICIAL OPINIONS
OF THE
ATTORNEYS GENERAL
OF
THE STATE OF OHIO

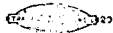
(FROM 1846 TO 1904)

ADVISING PUBLIC OFFICERS

In Relation to Their Official Duties

Compiled and Edited by
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INTRODUCTION

The office of the attorney general of Ohio was established in 1846, but no complete and accessible record has heretofore existed of the official opinions upon questions of law rendered by this department. In 1905 an effort was begun to collect and preserve these opinions in a convenient form, from the date of the establishment of the office to the beginning of the first term of the present incumbent, and suggesting a method by which such publications might be continued from time to time hereafter in a uniform manner.

Experience has shown the great value and importance of such a record, but much difficulty was encountered in procuring its completion. Many of the books or papers containing these opinions had been kept for years in a depository for official documents and files in the basement of the judiciary building. Here was discovered the original opinion book of Mr. Henry Stanbery, the first attorney general, and in this was written out at length, and apparently in the handwriting of the author, all the opinions rendered during his service in this office. In a like condition were found the opinions of several other attorneys general who succeeded him. All these were collected, and together with others that had been incorporated in the printed annual reports of the department in later years, have been carefully compiled and, including the index, constitute the five volumes now published.

The work of compiling and publishing these volumes has been considerable, particularly in view of the fact that it was undertaken and accomplished in the main by members of the regular force of the department. The prepara-

tion of the index especially has involved a great deal of time and effort, there being about two thousand separate opinions requiring classification therein.

The opinions herein collected embrace many questions of public importance which have not been passed upon by the courts of the state, and hitherto have not been accessible either to the public or to those especially interested in their determination. They present conclusions upon points of law involving the powers and duties of public officers, the construction of the constitution and statutes, and the whole system of state and local government, covering more than sixty years of Ohio history.

The work has been done, primarily, of course, for the use of the department and for the preservation of its records, but it is believed that its historical value, as well as its usefulness to other departments of the state, to the prosecuting attorneys of the various counties and generally to the bench and bar, will justify the labor and expense involved in its publication.

WADE H. ELLIS, *Attorney General.*

Columbus, Ohio, January 1st, 1908.