

92.

APPROVAL, BONDS OF VILLAGE OF PARKVIEW, CUYAHOGA COUNTY,  
\$18,899.84.

COLUMBUS, OHIO, February 19, 1927.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*

93.

GENERAL ASSEMBLY—WITHOUT AUTHORITY TO LIMIT JURISDICTION OF COURT OF APPEALS—VIOLATION OF ARTICLE IV, SECTION 6, OHIO CONSTITUTION—CANNOT LIMIT OR ABRIDGE RIGHT OF LITIGANTS TO PROSECUTE ERROR TO COURT OF APPEALS FROM ANY COURT OF RECORD IN OHIO.

*SYLLABUS:*

*The General Assembly of Ohio is without authority to limit the appellate jurisdiction of the Court of Appeals under the provisions of Section 6 of Article IV of the Ohio Constitution; neither may it limit nor abridge the right of litigants to prosecute error to the Court of Appeals from any court of record in Ohio.*

COLUMBUS, OHIO, February 21, 1927

HON. HARRY E. DAVIS, *Member of the House of Representatives, Columbus, Ohio.*

DEAR SIR:—This will acknowledge receipt of your letter of the 17th instant requesting my opinion as follows:

“As chairman of the Codes Committee of the House, I am submitting the following proposition for an informal opinion from you:

The several municipal court acts passed in recent years generally contain a provision denying an appeal to the Court of Appeals.

There is such a provision in the Municipal Court Act of Cleveland. However in Section 1579-9 of the General Code, the Cleveland Municipal Court is given some chancery jurisdiction.

We are anxious to get your opinion as to whether or not it is within the legislative power to limit an appeal in chancery cases from the Municipal Court to the Court of Appeals or whether this conflicts with Article 4, Section 6, of the Constitution.”

You refer to Section 1579-9, General Code, which is as follows:

“Whenever an action or proceeding is properly brought in the municipal court, the court shall have jurisdiction to determine, preserve and enforce all rights involved therein, and to hear and determine all legal and equitable remedies necessary or proper for a complete determination of the rights of the parties.”