

might affect the question before us has not been considered in this opinion, and I do not pass upon the same.

It should also be noted that it is very difficult, within the limits of an opinion of this kind, to touch upon all the questions which may arise in matters of this kind or to cover all possible phases of the subject even in a general way. To a great extent each case must be considered as it arises, in the light of the facts peculiar to it. Also, while in some respects I have in the course of this opinion spoken of foreign countries generally, I do not wish to be understood as saying that the principles hereinbefore referred to would be given application in cases where relations with a foreign nation, whose standard of civilization did not merit it, were involved.

In answer to your specific questions, I am of the opinion:

1. A divorce granted by a court of the Kingdom of Hungary, whether to persons who are American citizens or not, when one of the parties is domiciled in Hungary and jurisdiction of the other, regardless of where he resides, is acquired by the service of process in accordance with the laws of Hungary, will be considered valid by the authorities in Ohio, in so far as the decree affects the marital relation of the parties.

2. When one of the parties to a matrimonial union is domiciled, as distinguished from merely residing in or having a place of abode in Hungary, and the other is domiciled in Germany, the courts of Hungary might lawfully be vested with jurisdiction to grant a divorce, as noted in the answer to your first question. A divorce so granted would be considered valid in Ohio. Whether or not the courts of Germany might acquire jurisdiction over the parties and grant a divorce under such circumstances, would depend to a great extent on the laws of Germany.

3. Assuming that the courts of Hungary had jurisdiction of both the subject matter and the parties, and granted a divorce to such parties, the fact that the divorce was granted upon grounds not recognized as sufficient in similar cases in Ohio would not serve to render the divorce invalid in Ohio.

Respectfully,

EDWARD C. TURNER,

*Attorney General.*

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APPROVAL, BONDS OF TUSCARAWAS COUNTY—\$52,000.00

COLUMBUS, OHIO, November 22, 1928.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*