

containing articles of food, together with the name and address of the person packing and dealing therein be marked on such packages, are not applicable when such food is processed and canned by the State Relief Commission and is distributed solely to persons on poor relief.

Respectfully,  
 JOHN W. BRICKER,  
*Attorney General.*

3258.

APPROVAL, BONDS OF CUYAHOGA COUNTY, OHIO—\$260,000.00.

COLUMBUS, OHIO, September 28, 1934.

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

3259.

APPROVAL—BOND FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES AS INVESTIGATOR, DEPARTMENT OF HIGHWAYS—ROY MARTIN McREYNOLDS.

COLUMBUS, OHIO, September 28, 1934.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted a bond, in the penal sum of \$2,000.00 with surety as indicated, to cover the faithful performance of the duties of the official as hereinafter named:

Roy Martin McReynolds, Investigator, Department of Highways—  
 New York Casualty Company.

Said bond is undoubtedly executed pursuant to the following provisions of sections 1182-2 and 1182-3, General Code:

“Sec. 1182-2. The director (of highways) may appoint additional clerks and stenographers, and such other engineers, inspectors and other employes within the limits of the appropriation as he may deem necessary to fully carry out the provisions of this act; \* \* \*”

Sec. 1182-3. Each employe or appointee under the provisions of this act \* \* \*, may be required to give bond in such sum as the director may determine. All bonds hereinbefore provided for shall be conditioned upon the faithful discharge of the duties of their respective positions, and such bonds \* \* \* shall be approved as to the sufficiency of the sureties by the director, and as to legality and form by the attorney general, and be deposited with the secretary of state. \* \* \*”

Finding said bond to have been properly executed in accordance with the foregoing statutory provisions, I have accordingly approved the same as to form, and return it herewith.

Respectfully,  
JOHN W. BRICKER,  
*Attorney General.*

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3260.

LEGAL SETTLEMENT—WHERE MINOR CHILD IN SOLE CUSTODY  
OF MOTHER FOLLOWING DIVORCE OF PARENTS.

*SYLLABUS:*

*Legal settlement of a minor child where the parents are divorced and the decree gives to the mother the sole and exclusive custody of the child, discussed.*

COLUMBUS, OHIO, September 28, 1934.

HON. FRANK T. CULLITAN, *Prosecuting Attorney, Cleveland, Ohio.*

DEAR SIR:—I am in receipt of your recent communication which reads as follows:

“The Juvenile Court of the County of Cuyahoga has requested this office to obtain an opinion from the Attorney General regarding the legal settlement of one M. S., a minor.

Mr. and Mrs. W. S., the parents of M. S., were married and living in Lake County, having legal residence there for all purposes. In January of 1920 Mrs. W. S. obtained a divorce from her husband and was given custody of their two minor children, one of whom was M. S.

In April of 1923 Mrs. W. S. married W. P. and continued to live in Lake County until October of 1931, when they moved to Youngstown, Mahoning County, where they continued to live until February 16th, 1933, when they moved to Cleveland and have resided in Cleveland ever since.

In August, 1928, M. S. left her mother's home in Lake County and went to live with her father, W. S., and remained with her father in Lake County until September of 1933, at which time she was taken by her mother to Cleveland for the reason that M. S. was pregnant. One A. R., a boarder in the home of W. S., was responsible for her condition and pleaded guilty to statutory rape in Lake County and was placed on parole.

In February of 1934 M. S. gave birth to a child in Cleveland.

The question is whether Lake County or Cuyahoga County is responsible for the expense and care of M. S. This office and the Juvenile Court would appreciate your opinion in this matter.”

It appears from the facts stated in your inquiry that M. S. is still a minor and that by divorce decree in Lake County Mrs. W. S. (now Mrs. W. P.) was given the sole custody of the daughter, M. S.