

1197.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENTS IN  
MARION COUNTY, OHIO.

COLUMBUS, OHIO, May 1, 1920.

HON. A. R. TAYLOR, *State Highway Commissioner, Columbus, Ohio.*

1198.

OHIO SITE VALUE TAXATION LEAGUE—APPROVAL OF SYNOPSIS  
FOR INITIATIVE PETITION FOR PROPOSED AMENDMENTS TO  
OHIO CONSTITUTION.

COLUMBUS, OHIO, May 3, 1920.

*Ohio Site Value Taxation League, Columbus, Ohio.*

GENTLEMEN:—Your letter of recent date, relative to my approval and certification of a synopsis of the proposed amendments of sections 2 and 3 of Article XII of the Ohio constitution and to repeal sections 7, 8, 9 and 10 of Article XII thereof, etc., together with copies of the proposed amendments and synopsis, were duly received.

Your proposed synopsis reads as follows:

“The purpose of the proposed amendment is to amend sections 2 and 3 and to supplement section 3 of Article XII of the Ohio constitution, and to repeal sections 7, 8, 9 and 10, of Article XII, so as to provide for the gradual abolition within eight years of all taxes, except taxes upon the value of land in the following manner:

*First:* By providing, in addition to the existing exemptions, for the immediate exemption from taxation of all bonds of the state and its subdivisions, household goods, farm products and implements, manufactured products, raw materials, merchandise, machinery, tools, vehicles, moneys loaned and mortgages;

*Second:* By providing for the gradual exemption within four years of buildings and other improvements on land, jewelry, boats and their equipment, pledged property, moneys and credits on deposit or in possession, shares in building and loan companies, other legal claims, stocks and bonds of corporations, and annuities;

*Third:* By providing for the repeal in the ninth year after the adoption of this amendment of provisions for inheritance, income, franchise and excise taxes.

If a majority of the electors voting on the amendment shall vote in favor thereof, it shall become a part of the constitution of the state of Ohio as sections 2, 3, 3a and 3b, of Article XII, and original sections 2 and 3 of Article XII of the constitution of the state of Ohio shall be repealed and annulled on and after the first day of January following the date of the election at which this amendment is adopted, and sections 7, 8, 9 and 10, of Article XII of the constitution of the state of Ohio shall be repealed and annulled on and after the first day of January of the ninth year following the date of the election at which this amendment is adopted.”

I, John G. Price, Attorney-General of the state of Ohio, do hereby certify that the foregoing synopsis is a truthful statement of the contents and purpose of the proposed amendments therein referred to.

Respectfully,  
 JOHN G. PRICE,  
*Attorney-General.*

1199.

STATE BOARD OF OPTOMETRY—DUTY OF CLERK OF COURT TO REGISTER OPTOMETRIST'S CERTIFICATE—NO FEE PROVIDED—SEE SECTION 1295-29 G. C.

1. *Under the provisions of section 1295-29 G. C. (108 O. L. 73) the clerk of courts in order to comply with the requirements of said statute relative to the registering of an optometrist's certificate, should "record" the same.*

2. *The fees chargeable by the clerk of courts are fixed by statute, and the legislature in the language used in section 1295-29 relating to the fee, for such registry, failed to provide any fee for such purpose. However, the failure of the fee does not excuse the said clerk of courts from making said registry.*

COLUMBUS, OHIO, May 3, 1920.

*Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.*

GENTLEMEN:—Your recent communication is as follows:

"Section 1295-29 of House Bill No. 240, 108 O. L., 73, concerning the practice of optometry, provides in part as follows:

"Each person to whom a certificate has been issued by said board shall, before practicing under the same, register said certificate in the office of the clerk of court of the common pleas in each county wherein he proposes to practice optometry, and shall pay therefor such fee as may be lawfully chargeable for such registry. The clerk of the court of common pleas in each county shall keep a certificate registration book wherein he shall promptly register each certificate for which the fee is paid."

Query: Is the clerk of courts, when a certificate is presented for registration, required to record it in its entirety or only make a brief notation showing the date of the certificate, the name of the person to whom issued, the place where the licensed person is to practice and the date of registration? What particular fee can the clerk of courts receive for this service?"

Your first inquiry requires the interpretation of the word "register" as used in the statute, a part of which you quote. It may be said that the words "record" and "register" are frequently used synonymously. See Century Dictionary. Bouvier's Law Dictionary has defined the word "register" when used as a noun as follows:

"A book containing a record of facts as they occur, kept by public authority;"

The word "recorded" has been defined: