

2251.

APPROVAL, TRANSCRIPT OF PROCEEDINGS RELATING TO THE PROPOSED SALE OF HOCKING CANAL LANDS IN THE CITY OF LANCASTER, FAIRFIELD COUNTY, OHIO—MORRIS MOLAR.

COLUMBUS, OHIO, February 1, 1934.

HON. T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of your recent communication submitting for my examination and approval a transcript of the proceedings of your department relating to the proposed sale to one Morris Molar of Lancaster, Ohio, of a certain parcel of abandoned Hocking Canal lands under the authority conferred upon you by House Bill No. 417, enacted by the 89th General Assembly, 114 O. L. 536.

The property here in question which is situated in the city of Lancaster, Fairfield County, Ohio, is more particularly described as follows:

“Being marginal Tract No. 19, as shown by the plats of said canal property in the city of Lancaster, and containing 2,425 square feet, more or less, said plats being on file at the office of the Governor of Ohio, the Department of Public Works of Ohio and at the office of the Mayor in the city of Lancaster, Ohio, and described as follows:

Beginning at the point of intersection of the southerly line of the lands of the said Morris Molar and the westerly line of Columbus Street, in the city of Lancaster, and running thence westerly with the said southerly line 22.9 feet to a point; thence westerly with the said southerly line 126.65 feet to a point; thence westerly with the said southerly line 51.06 feet, more or less to the southwesterly corner of the lands of the said Morris Molar, thence southwesterly with the westerly line produced of the lands of Morris Molar, eleven (11') feet to the northerly line of the 66 foot highway, as established by the city of Lancaster, under authority of the said House Bill No. 417, as passed by the 89th General Assembly of Ohio; thence southeasterly with the southerly line of said Highway, four hundred thirty-two (432') feet, more or less, to the westerly line of Columbus Street; thence northwesterly with the westerly line of Columbus Street, twenty-five (25') feet, to the place of beginning, and containing twenty-four hundred and twenty-five (2425) square feet, more or less, to the place of beginning.”

Inasmuch as it appears that said Morris Molar is the owner of land abutting upon the marginal tract of abandoned canal lands above described, and it does not appear that this parcel of land has been designated by the Highway Director for highway purposes or that the same has been held under lease by any person other than Mr. Molar, it follows that Mr. Molar has a prior right with respect to the purchase of this property and that you have the right, subject to the further conditions of said act, to sell the same to him at the appraised price of the property, which is the sum of fifty dollars.

I am accordingly approving the transcript of your proceedings relating to the sale of this property to Mr. Molar, as is evidenced by my approval endorsed upon

the transcript and upon the duplicate copy thereof, both of which are herewith returned.

Respectfully,
JOHN W. BRICKER,
Attorney General.

2252.

LIQUOR CONTROL ACT—EMPLOYMENT OF WOMEN IN STATE LIQUOR STORES NOT PROHIBITED—LIQUOR CONTROL DEPARTMENT UNAUTHORIZED TO EMPLOY OFFICE COUNSEL—METHOD OF REQUESTING ADVICE FROM ATTORNEY GENERAL.

SYLLABUS:

1. *There is no provision of law which prohibits the employment of women, who have attained the age of twenty-one years, as cashiers or clerks or in any other capacity in connection with the operation of state liquor stores by the State Liquor Control Department.*

2. *The state liquor control department is without power to employ office counsel.*

3. *Any requests to the Attorney General from the liquor control department for advice, concerning matters relating to the official duties of such department, should come either from the Director of Liquor Control or from the Board of Liquor Control acting as a board.*

COLUMBUS, OHIO, February 2, 1934.

HON. JOHN A. HUGHES, *Director of Liquor Control, Columbus, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion, which reads as follows:

“1. Does any provision of the Liquor Control Act or any provision of the statutes and Constitution of the State of Ohio prohibit this department from employing women in the state liquor stores provided for under the Liquor Control Act? I particularly desire to know whether women may be employed as cashiers and clerks in said stores.

2. Does this department under the provisions of the Liquor Control Act and the statutes and Constitution of the State of Ohio have a right to employ office counsel? I am familiar with the fact that the Secretary of State's office, the Tax Commission and other departments of the State of Ohio do have office counsel, and desire to know whether there is any express prohibition preventing this department from securing the services of office counsel. I understand that under the law, the Attorney General's office is the legal adviser to this department and is required to represent this department in suits arising in court. Employment of office counsel by this department would not mean that this department