

above mentioned, except the bonds of Chas. L. Sawyer, W. McCroba, A. L. Allen and H. Z. Hakes. All of said bonds are being herewith returned to you.

Respectfully,

GILBERT BETTMAN,
Attorney General.

612.

APPROVAL, BONDS OF CITY OF MIDDLETOWN, BUTLER COUNTY—
\$130,000.00.

COLUMBUS, OHIO, July 12, 1929.

Industrial Commission of Ohio, Columbus, Ohio.

613.

APPROVAL, BONDS OF FRANKLIN COUNTY, OHIO—\$46,830.00.

COLUMBUS, OHIO, July 12, 1929.

Industrial Commission of Ohio, Columbus, Ohio.

614.

APPROVAL, DEED TO LAND IN THE CITY OF CINCINNATI, HAMILTON
COUNTY—C. C. C. & ST. L. R. R. CO.

COLUMBUS, OHIO, July 12, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You recently submitted for my examination and approval a deed form of a proposed warranty deed to be executed by The Cleveland, Cincinnati, Chicago & St. Louis Railway Company, conveying to the State of Ohio certain real property in the city of Cincinnati, Hamilton County, Ohio, and which property is more particularly described as follows:

“Being a strip of land seventy-six (76) feet in width off of the south-easterly ends of Lots Numbers Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), French’s subdivision in the town of Carthage, now the city of Cincinnati, as recorded in Plat Book 3, Page 51 of the Records of

Hamilton County, Ohio, and being part of the same property conveyed by Thomas L. Brown to the Cincinnati and Springfield Railway Company by deed dated September 5, 1871, and recorded in Deed Book 402, Page 146 of the Records of Hamilton County, Ohio."

An examination of the deed form submitted, shows that the same is substantially correct subject to the following corrections which are hereby suggested.

From the habendum clause of the deed form submitted, the words "the only proper use of" should be stricken out.

The deed form submitted does not indicate the official title of the person or persons who will sign said warranty deed on behalf of the railway company. As to this, it will be noted that Section 8761, General Code, which is applicable to the matter of conveyances to and by railway companies, provides that "conveyances made by the company should be signed by the president under the corporate seal. In this connection it is desirable that the testimonium clause of the deed carry the recital that the execution of said deed has been authorized by the board of directors of said railroad company.

As to this, however, the rule is that a deed executed in the name of a corporation of this kind by the president thereof under the corporate seal, is presumed to have been authorized by the directors; and no exception can be taken to the deed here in question if the same is signed and acknowledged by the president over the official seal of the corporation, although it will be entirely proper and desirable to have said deed likewise signed or attested and acknowledged by the secretary or other similar officer of the company.

I am herewith returning to you said deed form and correspondence accompanying the same.

Respectfully,
GILBERT BETTMAN,
Attorney General.

615.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND GUSTAV HIRSCH, COLUMBUS, OHIO, FOR ELECTRICAL WORK ON GARAGE FOR HIGHWAY DEPARTMENT, CANTON, OHIO, AT AN EXPENDITURE OF \$1,050.00—SURETY BOND EXECUTED BY THE AMERICAN SURETY COMPANY OF NEW YORK.

COLUMBUS, OHIO, July 13, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Highways, and Gustav Hirsch, of Columbus, Ohio. This contract covers the construction and completion of electrical contract for garage, Department of Highways, at Canton, Ohio, and calls for an expenditure of one thousand and fifty dollars (\$1,050.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also furnished evidence to the effect that the consent of the Controlling Board to the expenditure has been obtained, as required by Section 11 of House Bill No. 510 of the 88th General Assembly. In addi-