

2484.

APPROVAL, BONDS OF RUNYAN RURAL SCHOOL DISTRICT, HAMILTON COUNTY, OHIO—\$670.00.

COLUMBUS, OHIO, October 27, 1930.

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

2485.

APPROVAL, ABSTRACT OF TITLE TO LANDS OF FOREST E. ROBERTS IN MIFFLIN TOWNSHIP, PIKE COUNTY, OHIO.

COLUMBUS, OHIO, October 27, 1930.

HON. CARL E. STEEB, *Secretary, Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—There have been submitted to me for my examination and approval, corrected abstracts of title, a warranty deed, encumbrance estimate No. 792, Controlling Board's certificate and other files relating to three certain tracts of land in Mifflin Township, Pike County, Ohio, which tracts of land are owned of record by one Forest E. Roberts.

These tracts of land are particularly described by metes and bounds in the respective abstracts of title and in the warranty deed which has been tendered by said Forest E. Roberts to the State of Ohio.

It will be sufficient for your purposes to note the said several tracts of land, as follows:

- (1) A tract of 75 acres more or less, of which 13 acres thereof are a part of pre-exemption claim No. 181 and 62 acres thereof are a part of O. S. U. Lot No. 22 and known of record as the Joshua Turner 31 acre tract.
- (2) A tract of 120 acres, more or less, being a part of survey No. 16,101;
- (3) A tract of 202 acres, more or less, and being part of O. S. U. lot No. 22.

Upon examination of the corrected abstracts of title which were certified by the abstracter under date of October 25, 1930, I find that said Forest E. Roberts has a good merchantable title to each and all of said tracts of land, free and clear of all encumbrances except the taxes on said several tracts of land for the year 1930, the amount of which taxes is not stated in said abstract.

The warranty deed tendered by Forest E. Roberts has been properly executed and acknowledged by him and by his wife, Gladys Roberts and the body and form of such deed are such that said deed is effective to convey said tracts of land to the State of Ohio by proper description in fee simple, free and clear of the dower interest of said Gladys Roberts and free and clear of all encumbrances whatsoever.

Upon examination of encumbrance record No. 792, I find that the same has been properly executed and approved, and that there is shown thereby a sufficient balance in the appropriation account to pay the aggregate purchase price for said tracts of land, which purchase price is the sum of \$1,985.00.

It is likewise noted that the money necessary to pay the purchase price of this property has been released by the Board of Control, which action on the part of said board is evidenced by its certificate under date of November 4, 1929.

I am herewith returning to you with my approval, said corrected abstract of title, warranty deed, encumbrance estimate No. 792, Controlling Board's certificate and other files relating to the purchase of said property.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2486.

COUNTY LAW LIBRARY—DOMESTIC RELATIONS COURT—FINES AND PENALTIES COLLECTED IN SUCH COURT ACCRUE TO THE USE OF LAW LIBRARY ASSOCIATION.

SYLLABUS:

Fines and penalties assessed and collected for offenses and misdemeanors prosecuted in the name of the State and growing out of convictions by the judge of the court of common pleas, division of domestic relations of Franklin County, Ohio, when exercising the powers provided for in Chapter 8, of Title 4, of Part I of the General Code or elsewhere in said Code, relating to juvenile courts, should be paid to the trustees of the law library association of Franklin County, as are other fines and penalties assessed and collected for offenses prosecuted in the name of the State in the common pleas and probate courts of the county, to the extent and within the limitations provided for in Section 3056, General Code.

COLUMBUS, OHIO, October 29, 1930.

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

GENTLEMEN:—Your recent communication reads:

"You are respectfully requested to furnish this department with your written opinion upon the following matter:

Section 1532-7, G. C., 112 O. L. 58, provides for the election of an additional judge of the court of common pleas of Franklin County and further provides for his jurisdiction. Section 3056, as amended, 113 O. L. 249, provides that in all counties the fines and penalties assessed and collected by the common pleas court and probate court for offenses and misdemeanors shall be retained and paid monthly by the clerk of such courts to the trustees of the law library association.

Question: In exercising jurisdiction in juvenile cases by such judge of the court of common pleas, division of domestic relations, are such fines and penalties payable to the law library association?"

Section 3056 of the General Code as amended by the 88th General Assembly, 113 O. L. 249, in the first paragraph thereof provides for the distribution to the law library association of a portion of the fines and penalties assessed and collected by a municipal or police court in state cases.

The second paragraph of said section provides:

"In all counties the fines and penalties assessed and collected by the common pleas court and probate court for offenses and misdemeanors prose-