

831.

DISAPPROVAL, ABSTRACT OF TITLE TO LAND OF ANN SNYDER IN
THE CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO.

COLUMBUS, OHIO, September 4, 1929.

HON. CARL E. STEEB, *Business Manager, Ohio State University, Columbus, Ohio.*

DEAR SIR:—There has been submitted to me for examination and approval an abstract of title, a deed form and encumbrance estimate No. 5626, relating to the proposed purchase of a tract and parcel of land in the city of Columbus, Franklin County, Ohio, and more particularly described as follows:

“Being Lot No. 34 of R. P. Woodruff’s Subdivision of the south half of the south half of Lot No. 278 in R. P. Woodruff’s Agricultural College Addition to the city of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof of Record in Plat Book 3, page 421, Recorder’s Office, Franklin County, Ohio.”

An examination of the abstract of title submitted shows that on and after March 31, 1892, the above described property was owned by one Ann Snyder; that thereafter, in 1916, the property having become delinquent for taxes, the same was sold at delinquent tax sale to one W. Guy Jones, but it does not appear that any auditor’s deed was ever executed to said W. Guy Jones on this tax title; that thereafter, on or about the 30th day of January, 1918, said W. Guy Jones died intestate, leaving as his only next of kin and heirs one brother and three sisters. On May 26, 1926, said property having become again delinquent for taxes, David P. Anderson, as treasurer of Franklin County, commenced an action in the Common Pleas Court of Franklin County, Ohio, against said Ann Snyder and against her husband and their unknown heirs and devisees, and against the heirs of said W. Guy Jones, to foreclose the interests of said above mentioned persons in and to this property and to sell the same upon execution for the collection of the taxes, penalty and interest assessed against him. Such proceedings were thereafter had that on April 15, 1929, the court made an order directing the sheriff of Franklin County to sell this property as upon execution. Pursuant to this order it appears that the sheriff thereafter sold the property here in question to one Ray B. Levering, and, on June 15, 1929, an order was made and entered in said court confirming the said sale and authorizing and directing the sheriff to convey said property to Ray B. Levering by sheriff’s deed. Such deed has not as yet been executed. In this situation, it is suggested that said Ray B. Levering execute a warranty deed to the State of Ohio for the above described property according to the deed form submitted. This deed should be executed under a blank date and deposited with the Auditor of State without delivery thereof. Thereupon a warrant should be issued by the Auditor of State for a sum of \$100.00, payable to the order of said Ray B. Levering. Thereupon the sheriff will execute his deed to Levering for this property, which should, of course, be immediately filed for record. After these proceedings are had, the abstract should be corrected so as to show the said proceedings and thereupon said corrected abstract, the deed executed by Levering to the State of Ohio and the other files relating to the proposed purchase of this property should again be submitted to this department for examination and approval.

Encumbrance Estimate No. 5626, above referred to, has been properly executed and shows a sufficient balance in the proper appropriation account to pay the purchase price of this property. As above indicated, this encumbrance estimate should be again submitted to this department with the corrected abstract of title.

I am herewith returning to you said abstract of title, deed form and encumbrance estimate No. 5626.

Respectfully,
GILBERT BETTMAN,
Attorney General.

832.

SHORTHAND REPORTERS—COMPENSATED ON BASIS OF NUMBER OF WORDS USED IN TRANSCRIPTS—PUNCTUATION MARKS NOT WORDS.

SYLLABUS:

Under the terms of Section 1552 of the General Code, providing that the compensation of shorthand reporters for making transcripts and copies shall not be more than twelve cents per folio of one hundred words, in counting the number of words, punctuation marks are not to be included.

COLUMBUS, OHIO, September 5, 1929.

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

GENTLEMEN:—I am in receipt of your letter of recent date, which is as follows:

“You are respectfully requested to render this Department your written opinion upon the following:

Sec. 1552 of the General Code, provides the compensation of shorthand reporters for making transcripts, etc., shall be not more than 12c per folio of 100 words, to be fixed by the common pleas judges of the sub-division.

Question 1. When the compensation of shorthand reporters is fixed, as provided by this Section, at 12c per folio of 100 words, etc., in counting the number of words in a transcript, may punctuation marks, such as periods, commas, etc., be counted in determining the number of words in the manuscript?”

Section 1548 of the General Code, provides as follows:

“Upon the trial of a case in any of such courts, if either party to the suit, or his attorney, requests the services of a shorthand reporter, the trial judge shall grant the request, or such judge may order a full report of the testimony or other proceedings, in which case such shorthand reporter shall cause accurate shorthand notes of the oral testimony or other oral proceedings to be taken, which notes shall be filed in the office of the official shorthand reporter and carefully preserved.”

Section 1551 of the General Code, provides as follows:

“When shorthand notes have been taken in a case as herein provided, if the court, either party to the suit, or his attorney, requests transcripts of all or any portion of such notes in longhand, the shorthand reporter reporting the case shall cause full and accurate transcripts thereof to be made for the use of such court or party. The court may direct the official shorthand reporter to furnish to the court and parties copies of decisions rendered and charges delivered by the court in pending cases.”