

2149.

APPROVAL, BOND OF HARRY S. DAY, IN THE SUM OF \$100,000.00, FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES AS CUSTODIAN OF THE FUNDS OF THE INDUSTRIAL COMMISSION OF OHIO. SURETY BOND EXECUTED BY THE FIDELITY AND CASUALTY COMPANY OF NEW YORK.

COLUMBUS, OHIO, January 12, 1925.

HON. HARRY S. DAY, *Treasurer of State, Columbus, Ohio.*

DEAR SIR:—You have submitted a bond in the sum of \$100,000.00 with the Fidelity and Casualty Company of New York and the Sun Indemnity Company of New York as sureties, to cover your duties as custodian of the funds of the Industrial Commission of Ohio, for the period beginning January 12, 1925, and ending on the second Monday in January, 1927. This bond is given in accordance with the provisions of Section 1465-59a of the General Code.

Finding such bond in proper legal form, I have endorsed my approval thereon as to form, and am returning the same herewith to you.

Your attention is called to the fact that under the provisions of the section above referred to, the same should be approved by the Governor and filed with the Secretary of State.

Respectfully,  
C. C. CRABBE,  
*Attorney-General.*

2150.

APPROVAL, BONDS OF CITY OF CANTON, STARK COUNTY, \$2,704.69, NINTH STREET IMPROVEMENT BONDS.

COLUMBUS, OHIO, January 14, 1925.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*

2151.

ABSTRACT, STATUS OF TITLE, SOUTH HALF OF THE SOUTH HALF OF LOT NO. 12 OF HAMILTON'S SECOND GARDEN ADDITION, COLUMBUS, OHIO.

COLUMBUS, OHIO, January 15, 1925.

HON. CHARLES V. TRUAX, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—An examination of an abstract of title submitted by your office to this department discloses the following:

The abstract under consideration was prepared and certified by John H. Nau, Attorney, October 30, 1922, a continuation thereto November 11, 1922 by Graves and Westervelt, Abstracters, and a last continuation January 9, 1925, by E. N. Baldrige, Attorney, and pertains to the following premises:

"Being the south half of the south half of lot No. 12 of Hamilton's Second Garden Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in plat book 7, page 186, recorder's office, Franklin county, Ohio, excepting six feet off the rear end thereof reserved for the purpose of an alley."

Upon examination of said abstract, I am of the opinion same shows a good and merchantable title to said premises in Allen Bohanon, subject to the following exceptions:

The release of the mortgage shown at section 8 of the first part of the abstract is in defective form, but as the note secured by the mortgage has been long past due, no action could be maintained upon same. The release shown at section 14 is also defective but shows that the notes secured by the mortgage were undoubtedly paid.

Attention is directed to the restrictions in the conveyance shown at section 1 of the continuation of October 21, 1922, wherein are found restrictions for a period of twenty-five years against the use of the premises for the erection of any buildings to be used for slaughter houses and the killing of animals, or the use of said premises for the sale of intoxicating liquors or malt beverages.

The abstract states no examination has been made in the United States District or Circuit Courts, nor in any subdivision thereof.

Attention is directed to two mortgages shown in the last continuation at sections 2 and 3, and a judgment lien at section 4.

First, a mortgage to the Buckeye State Building & Loan Company for \$925.00.

Second, a mortgage to the Fifth Avenue Lumber Company for \$1,500.00.

Third, a judgment lien of \$47.16.

All three of the above are not cancelled or released of record, and should be satisfied of record before the final consummation of the purchase of the premises under consideration.

The taxes on the south half of the south half of lot 12 here under consideration, and on lot 13 under consideration in the accompanying abstract are both assessed as one parcel, and the taxes indicated below cover both parcels:

The taxes and penalty for previous years amounting to \$48.76 and the taxes for the year 1924, amounting to \$75.52, of which one-half, amounting to \$37.76, was due in December, 1924, are a lien. These taxes should be paid and a receipt showing payment obtained before the title is accepted.

It is suggested that the proper execution of a general warranty deed by Allen Bohanon and wife, if married, will be sufficient to convey the title to said premises to the State of Ohio when properly delivered.

Attention is also directed to the necessity of the proper certificate of the Director of Finance to the effect that there are unincumbered balances legally appropriated sufficient to cover the purchase price before the purchase can be consummated.

The abstract submitted is herewith returned.

Respectfully,  
C. C. CRABBE,  
*Attorney-General.*