

815.

## APPROVAL, FOUR GAME REFUGE LEASES.

COLUMBUS, OHIO, July 30, 1927.

*Department of Agriculture, Division of Fish and Game, Columbus, Ohio.*

GENTLEMEN:—This will acknowledge your letter of recent date in which you enclose the following Game Refuge Leases, in duplicate, for my approval:

<i>No.</i>	<i>Name.</i>	<i>County.</i>	<i>Township.</i>	<i>Acres.</i>
974	C. R. and G. H. Hine.....	Butler	Hanover	177
961	Village of Oberlin.....	Lorain	Russia	146
1026	S. H. Rosebraugh.....	Licking	Union	55
1027	Minnie P. Rosebraugh.....	Licking	Union	149

I have examined said leases, find them correct as to form, and I am therefore returning the same with my approval endorsed thereon.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

816.

## GAME REFUGE LEASES—9 APPROVED—4 DISAPPROVED.

COLUMBUS, OHIO, July 30, 1927.

*Department of Agriculture, Division of Fish and Game, Columbus, Ohio.*

GENTLEMEN:—This will acknowledge your letter of recent date in which you enclosed the following Game Refuge Leases in duplicate, for my approval.

<i>No.</i>	<i>Name.</i>	<i>County.</i>	<i>Township.</i>	<i>Acres.</i>
980	Mrs. Levi King.....	Henry	Damascus	147
981	Monroe King.....	Henry	Damascus	248
982	Harmon Dietrich.....	Henry	Napoleon	80
983	J. B. Mallow.....	Ross	Concord	934
985	K. F. Lamprecht.....	Morrow	Cardington	77
986	Aaron and Sara Stucky.....	Fulton	German	80
987	Geo. F. Goll.....	Fulton	German	623
988	Mrs. Wm. M. Acker.....	Fulton	German	20
989	Zoah C. Ashbeck.....	Fulton	German	80

I have examined said leases, find them correct as to form, and I am therefore returning the same with my approval endorsed thereon.

I am returning herewith Leases Nos. 979, 984, 990 and 991, unapproved, for correction.

In Lease No. 979, Watkin E. Watkins, Thompson township, Licking county, 269 acres, the name Watkin E. Watkins appears in the granting clause, whereas the lease is signed and acknowledged by W. E. Watkins. There is nothing to show that these parties are one and the same.

In Lease No. 984, Mrs. Elmer Hayes Sellars, Cardington township, Morrow county, 203.66 acres, the lessor's name is misspelled in the granting clause.

In Lease No. 990, John R. Merchant, Thompson township, Delaware county, 90 acres, the lessor's name is misspelled in the granting clause.

In Lease No. 991, Sarah and Phil McCarthy, Falls township, Hocking county, 657 acres, the same Phillip McCarthy appears in the granting clause whereas the lease is signed and acknowledged by Phil McCarthy. There is nothing to show that these parties are one and the same.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

817.

COUNTY COMMISSIONERS—DUTY CONCERNING APPOINTMENT OF SUCCESSOR TO COUNTY RECORDER—AUTHORITY OF DEPUTY COUNTY RECORDER CEASES UPON DEATH OF COUNTY RECORDER—PERSONAL REPRESENTATIVE OF DECEASED COUNTY RECORDER BECOMES CUSTODIAN OF RECORDER'S SEAL OF OFFICE, RECORDS, ETC.

**SYLLABUS:**

1. *Upon the death of a county recorder, it becomes the duty of the county commissioners to appoint his successor without unreasonable delay. If an appointment is not made within a reasonable time, the commissioners become subject to an action in mandamus to compel them to act.*

2. *The powers and authority of a deputy county recorder ceases upon the death of the county recorder.*

3. *The personal representative of a deceased county recorder becomes the custodian of the recorder's seal of office, all books, records, and other instruments of writing belonging to the office and such personal representative is required to deliver the same to the deceased recorder's successor when appointed. Such personal representative has no official capacity and can exercise none of the recorder's official powers and duties as distinguished from powers merely ministerial.*

4. *In the interim between the death of a county recorder and the appointment of his successor the deceased recorder's personal representative as custodian of the seal, books, records and papers belonging to the recorder's office should make such books, records and papers available for public use and should receive all instruments presented for record and note the time of the filing of the same and collect the fee therefor. Upon the appointment and qualification of the recorder's successor, the personal representative of the deceased recorder should account to such successor for all fees collected, and instruments received during the interim between the death of the recorder and the appointment and qualification of his successor.*

5. *If for any reason, there is delay in the appointment of a personal representative of the deceased recorder, or if in the opinion of the probate court it becomes necessary, the*