

2070.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO, COUNTY OF CARROLL AND NEW YORK CENTRAL RAILROAD IN MATTER OF RECONSTRUCTION OF CROSSING UNDER TRACKS OF NEW YORK CENTRAL RAILROAD COMPANY IN CARROLL COUNTY, OHIO.

COLUMBUS, OHIO, July 8, 1930.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted for my consideration form of proposed contract between the State of Ohio, the County of Carroll and The New York Central Railroad Company in the matter of the reconstruction of the separated crossing under the tracks of The New York Central Railroad Company on State Highway No. 377, about four-tenths (0.4) of a mile north of Mechanicstown, in Carroll County, Ohio.

After examination it is believed that said proposed contract is in proper legal form and will constitute a valid contract for the purposes therein intended, when the same is properly executed. Accordingly I hereby approve the same as to form and return the same herewith.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2071.

APPROVAL, COOPERATIVE CONTRACT BETWEEN HIGHWAY DEPARTMENT AND THE VILLAGE OF SEAMAN, ADAMS COUNTY, OHIO.

COLUMBUS, OHIO, July 8, 1930.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

2072.

APPROVAL, BONDS OF VILLAGE OF SEAMAN, ADAMS COUNTY, OHIO.
—\$3,500.00.

COLUMBUS, OHIO, July 8, 1930.

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

2073.

APPROVAL, WARRANTY DEED TO LAND OF MINNIE M. DANIEL AND JOHN J. DANIEL IN CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO.

COLUMBUS, OHIO, July 9, 1930.

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

DEAR SIR:—In Opinion No. 2051, directed to you under date of July 2, 1930, I approved the title of Minnie M. Daniel in and to Lot No. 3 and a part of Lot No. 4

in R. P. Woodruff's Subdivision of the south half of the south half of Lot No. 278 of R. P. Woodruff's Agricultural College Addition, subject to certain exceptions therein noted.

With the abstract of title considered in said opinion, there was submitted a deed form of the warranty deed to be executed by said Minnie M. Daniel and by John J. Daniel, her husband, conveying this property to the State of Ohio. I am now in receipt of said warranty deed executed and acknowledged by said Minnie M. Daniel and John J. Daniel, and find said execution and acknowledgment to have been executed in the manner required by law; and that said deed as to its form is sufficient to convey to the State of Ohio a fee simple title to said property free and clear of the dower interest of said John J. Daniel, and free and clear of all encumbrances whatsoever except such taxes and assessments as may be due and payable on and after December, 1930.

Said deed so approved is herewith returned.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2074.

COMPENSATION—COMMON PLEAS JUDGES—SALARY INCREASE
CAUSED BY 1930 CENSUS NOT PAYABLE TO THOSE IN OFFICE
PRIOR TO ANNOUNCEMENT—APPOINTEES FILLING VACANCIES,
SWORN IN AFTER ANNOUNCEMENT ENTITLED TO INCREASE.

SYLLABUS:

1. *The annual compensation of common pleas judges, under Section 2252, General Code, who were elected and took office prior to the taking of the 1930 census, should be based on the 1920 census.*

2. *Should appointments be made at the present time to fill vacancies in the office of common pleas judge before the official certification and announcement of the 1930 census, such appointees are entitled to the annual compensation based on the 1930 census, provided they are not sworn in until after official certification and announcement of said census.*

COLUMBUS, OHIO, July 9, 1930.

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

GENTLEMEN:—I am in receipt of your recent communication as follows:

"We are enclosing herewith a letter from one of our examiners, submitting a number of questions with reference to the compensation of common pleas judges. You are respectfully requested to furnish this department your written opinion upon the questions so submitted."

The letter enclosed with your communication reads as follows:

"I am requested to obtain an opinion of the Attorney General relative to the construction of Section 2252, G. C., relative to the compensation to be paid common pleas judges.

You will note that this section states that such additional compensation is based on 'the latest Federal census,' and not like that of other county officers, which is upon 'that shown by the last federal census next preceding his election."