

245.

APPROVAL, FINAL RESOLUTION FOR GRADE ELIMINATION NEAR
ORLAND STATION, VINTON COUNTY, OHIO.

COLUMBUS, OHIO, March 28, 1929.

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

246.

APPROVAL, FINAL RESOLUTIONS ON ROAD IMPROVEMENTS IN
FRANKLIN AND MAHONING COUNTIES.

COLUMBUS, OHIO, March 28, 1929.

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

247.

STATE OF OHIO—MAY ACCEPT SPECIFIC DEVISE AND BEQUEST BY
APPROPRIATE LEGISLATION.

SYLLABUS:

Devise and bequest made to the State of Ohio on the conditions therein prescribed by the last will and testament of Hayward H. Kendall, deceased, considered. Held: that the State has authority at this time to accept said devise and bequest by appropriate action by the General Assembly.

COLUMBUS, OHIO, March 28, 1929.

HON. MYERS Y. COOPER, *Governor of Ohio, Columbus, Ohio.*

MY DEAR GOVERNOR:—This is to acknowledge receipt of your recent communication in which you refer to a devise and bequest made to the State of Ohio by the last will and testament of Hayward H. Kendall, deceased, and in which you ask my opinion whether said devise and bequest can be accepted by the State at this time and as to what conditions or financial obligations will be imposed upon the state by its acceptance of the same.

The subject of the devise referred to in your communication, is a certain tract of farm lands suitable for park purposes in Boston Township, Summit County, Ohio, which Mr. Kendall owned at the time of his decease. By the last will and testament of Mr. Kendall the legal title to this property was devised in trust to The Guardian Trust Company of Cleveland, Ohio, during such time as the same should be occupied and used by his wife, Agnes T. Kendall, with the provision that upon the decease of his wife or in the event of her election to voluntarily relinquish all in-