

1. A reservation in favor of John B. Wright, a former owner, under a deed of October 1, 1887, covering the use of the roadway, conveyed as a part of the land under consideration, to be used as a means of ingress from the rear fields on the farm then owned by said John B. Wright. This reservation is carried through subsequent deeds and is incorporated in the deed which D. E. Spahr proposes to deliver to the State of Ohio.

2. The 1927 taxes, the amount of which is not yet determined.

3. The records of the county auditor show that he has received and is now making up a special assessment duplicate for the improvement of the Springfield and Xenia pike in the sum of \$122.57, or of \$15.59 per annum if paid in instalments.

The deed has been executed by David E. Spahr, one and the same person as D. E. Spahr and Emma Spahr, his wife, by the terms of which they convey to the State of Ohio, its successors and assigns, the above described real estate. The deed conveys the land free and clear from all encumbrances, except taxes and assessments due and payable in December, 1927, and thereafter. The deed has been acknowledged by David E. Spahr and his wife before a notary public of Greene County on the fifteenth of October, 1927. This deed, when properly delivered, will transfer the title of D. E. Spahr in said land to the State of Ohio.

I herewith return the abstract and deed.

Respectfully,
EDWARD C. TURNER,
Attorney General.

1276.

APPROVAL, FINAL RESOLUTIONS ON ROAD IMPROVEMENTS IN ALLEN, PERRY AND WAYNE COUNTIES.

COLUMBUS, OHIO, November 18, 1927.

HON. GEORGE F. SCHLESINGER, *Director, Department of Highways and Public Works, Columbus, Ohio.*

1277.

OHIO STATE REFORMATORY—WITHOUT AUTHORITY TO REFUSE PRISONER SENTENCED BY A COURT OF COMPETENT JURISDICTION.

SYLLABUS:

1. *The judgment or sentence of the trial court is a finality, unless and until the same be set aside or modified by a court of competent jurisdiction, and the superintendent of the Ohio State Reformatory, the Ohio Board of Clemency and all other administrative officers are bound thereby, in the absence of action thereon by a court having jurisdiction so to act.*