

interest thereon at seven (7) per cent, payable semi-annually, from the 8th day of March, 1924, the date of the execution of said mortgage. This mortgage, together with the amount due and payable thereon is of course a lien on the lands here in question.

Corrected abstract of title further shows that the following taxes are a lien on said premises, to-wit, delinquent taxes, \$45.04, taxes for the last half of the year 1927, due and payable in June, 1928, \$12.03, and taxes for the year 1928.

I am therefore of the opinion that said John T. Flack has a good and merchantable fee simple title to the lands and premises here in question, subject only to the lien of the mortgage and the taxes above referred to.

An examination of the warranty deed consigned by said John T. Flack and Helen U. Flack, his wife conveying said property to the State of Ohio, has been properly executed and acknowledged and the same is in form sufficient to convey to the State of Ohio a fee simple title to said premises, free and clear of all encumbrances.

An examination of Encumbrance Estimate No. 3494 shows that the same has been signed by the Director of Finance and that there are sufficient balances in a proper appropriation act to pay the purchase price of said lands.

There was not submitted to me with the other files referred to relating to the purchase of this property, a certificate showing that the purchase of this property out of said appropriation has been approved by the Controlling Board, and before proceeding further with the transaction relating to the purchase of this property you will have to see that such certificate is filed with you.

I am returning herewith the abstract, warranty deed, Encumbrance Estimate No. 3493 and Opinion No. 2775.

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

2981.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE JOHN J. WILLIAMS COMPANY, OF WARREN, OHIO, FOR REMODELING POWER HOUSE AND NEW STACK, KENT STATE NORMAL SCHOOL, KENT, OHIO, AT AN EXPENDITURE OF \$17,990.00.

COLUMBUS, OHIO, December 6, 1928.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the Board of Trustees of Kent State Normal School, and the John J. Williams Company, of Warren, Ohio. This contract covers the construction and completion of General Contract for Remodeling Power House and New Stack, Kent State Normal School, Kent, Ohio, and calls for an expenditure of Seventeen thousand nine hundred and ninety dollars (\$17,990.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also furnished evidence to the effect that

the consent and approval of the Controlling Board to the expenditure have been obtained as required by Section 12 of House Bill No. 502 of the 87th General Assembly. In addition you have submitted a contract bond, upon which David R. Paige and R. G. Ingersoll appear as sureties, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workmen's compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

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

2982.

APPROVAL, DEEDS TO MIAMI AND ERIE CANAL LANDS IN THE  
CITY OF CINCINNATI—B. & O. R. R. AND WILLIAM AND ANNA  
WELTI.

COLUMBUS, OHIO, December 6, 1928.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This will acknowledge your letter of recent date transmitting for my approval three deeds conveying certain parcels of surplus Miami and Erie canal lands in the city of Cincinnati. These deeds are as follows:

PARCEL NO. 183

To The Baltimore and Ohio Southwestern Railroad Company  
of Baltimore, Md. Consideration..... \$398 00

PARCEL NO. 184

To The Baltimore and Ohio Southwestern Railroad Company, of  
Baltimore, Md. Consideration..... \$999 00

PARCEL NO. 19

To William Welti and Anna Welti, of 431 McMicken Ave., Cin-  
cinnati, Ohio. Consideration..... \$348 00

The authority to sell these lands is contained in Amended Senate Bill No. 123, 112 O. L. p. 210, 214.

In accordance with the authority conferred upon me by Section 9 of that act, I hereby approve the sale of such lands and have accordingly noted my approval on the deeds submitted.

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