

municipal charter, receive both a salary and his fees for services as marshal in the mayor's court, presided over by the president of the Village Commission, if an ordinance so providing is enacted by the Commission.

3. The fees of the Village Manager as marshal in such court shall be the same as those allowed constables.

Respectfully,
GILBERT BETTMAN,
Attorney General.

1316.

APPROVAL, ABSTRACT OF TITLE TO LAND OF ALBERT F. ELLETT IN
CITY OF ALLIANCE, STARK COUNTY, OHIO.

COLUMBUS, OHIO, December 20, 1929.

HON. A. W. REYNOLDS, *Adjutant General, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination an abstract of title and warranty deed relating to the proposed gift by the city of Alliance to the State of Ohio of an armory site in the city of Alliance, county of Stark, State of Ohio, which premises stand in the name of Albert F. Ellett, and are more particularly described as follows:

“A part of Outlot Number Three Hundred Forty-one (341) in the City of Alliance, Lexington township, Stark county, Ohio, and more fully described as follows:

Beginning at the center of the intersection of Johnson avenue and Vine street in said city; thence West Three Hundred Fifty-two and Six Tenths (352.6) Feet along the Center Line of Vine street, to the Center Line of Buckeye avenue, extended, and the true place of beginning of the land herein conveyed; thence northerly Thirteen Hundred Ninety-seven and No Tenths (1397.0) Feet along the Center Line of Buckeye avenue extended, to the North Corporation Line of the City of Alliance; thence Westerly Six Hundred Fifty and Six Tenths (650.6) Feet along the Northern Corporation Line to the West Corporation Line of said city; thence South, Seven Hundred Fifty (750) Feet along the West Corporation Line to an iron pin; thence East One Hundred Fifty-seven and Eight Tenths (157.8) Feet; thence South One Hundred (100) Feet to the North Line of Rossland Road extended; thence East One Hundred Eighty-two and Eight Tenths (182.8) Feet along the North Line of Rossland Road extended, to a point; thence South Five Hundred Forty-seven (547) Feet along the East Line of Ashland avenue extended, which is a street Fifty (50) Feet in width, to the Center Line of Vine street; thence East Three Hundred Ten (310) Feet along the Center Line of Vine street, to the place of beginning, containing Sixteen and Sixty-three Hundredths (16.63) Acres of land more or less, but subject to all legal highways.”

While the deed is direct from said Albert E. Ellett and his wife, Clara H. Ellett, to the State of Ohio, and recites that the consideration of \$9,500.00 was received from State of Ohio, you inform me that this sum was in fact paid by the city of Alliance.

The abstract under consideration was prepared by Hart and Kuehler, attorneys at law, of Alliance, under date of December 2, 1929, and it is my opinion that it shows a good merchantable title to said premises in Albert F. Ellett and Clara H. Ellett, his wife, subject to the following liens:

"1. Costs totaling \$7.21 in Cause No. 38264, styled *C. B. Pittinger and J. Ross Dager vs. A. F. Ellett*, in which a judgment was taken in Stark County, Common Pleas Court, against defendant. The judgment is received for on the appearance docket, but the costs have not been paid.

2. Taxes in the sum of \$370.22 for the year 1929, and delinquent taxes amounting to \$126.68, a total of \$496.90.

3. Any special assessments which may exist, no examination therefor having been made by the abstractors."

It is observed that the grantors on April 11, 1919, gave to A. W. Herring a lease covering oil and gas rights in said premises for a term of one year "and so much longer as oil or gas is produced" from said lands. I have no information whether oil or gas was found so as to make title to said premises still subject to oil and gas rights.

The abstracters apparently made no examination in the United States courts, or any subdivision thereof.

The warranty deed is sufficient to convey the title to said premises to the State of Ohio, when delivered.

I am returning herewith said abstract of title and warranty deed.

Respectfully,

GILBERT BETTMAN,

Attorney General.

1317.

APPROVAL, BONDS OF LEXINGTON VILLAGE SCHOOL DISTRICT,
RICHLAND COUNTY—\$110,000.00.

COLUMBUS, OHIO, December 20, 1929.

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

1318.

APPROVAL, BONDS OF MADISON TOWNSHIP RURAL SCHOOL DIS-
TRICT, GUERNSEY COUNTY—\$15,000.00.

COLUMBUS, OHIO, December 20, 1929.

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