

an oversight on the part of the abstractor, and the lot under consideration is undoubtedly restricted in the same manner as the numerous adjacent lots of the same addition.

It is also noted that the deed shown at section 3 of the last continuation does not indicate whether the grantor, Lucy Nichols, is married or single. This deficiency has been satisfactorily covered by an affidavit. This has been inserted in the last continuation.

The abstract states no examination has been made in the United States District or Circuit Courts, nor in any subdivision thereof.

Taxes for the year 1923, although as yet undetermined, are a lien against the premises. There is also a balance of assessments for the improvement of Clara Street, amounting to \$56.94, the next installment of which, amounting to \$14.24, with interest, will be due in December, 1923.

It is suggested that the proper execution of a general warranty deed by Lloyd L. Jones, and wife if married, will be sufficient to convey the title to said premises to the State of Ohio when properly delivered.

Attention is also directed to the necessity of the proper certificate of the Director of Finance to the effect that there are unincumbered balances legally appropriated sufficient to cover the purchase price before the purchase can be consummated.

The abstract submitted is herewith returned.

Respectfully,
C. C. CRABBE,
Attorney-General.

762.

ABSTRACT STATUS OF TITLE NORTH HALF OF LOT 81, HAMILTON'S
SECOND GARDEN ADDITION, COLUMBUS, OHIO.

COLUMBUS, OHIO, September 22, 1923.

HON. CHARLES V. TRUAX, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—An examination of an abstract of title submitted by your office to this department discloses the following:

The abstract under consideration was prepared by Adolph Haak & Company, Abstracters, August 10, 1905, with continuations made thereto as follows: by The Poste Abstract & Title Co. on October 17, 1910; by Lemuel D. Lilly, Attorney, on February 11, 1914; and by E. M. Baldrige, on September 18, 1923. The above abstract pertains to the following premises:

Being the north half of Lot 81 of Hamilton's Second Garden Addition to the city of Columbus, Ohio, as the same is numbered and delineated on the recorded plat thereof, recorded in Plat Book 7, page 186, Recorder's Office, Franklin County, Ohio, saving and excepting therefrom six feet off the rear end thereof reserved for the purpose of an alley.

Upon examination of said abstract, I am of the opinion same shows a good and merchantable title to said premises in Lydia Schaffer, subject to the following exceptions:

The release of the mortgage shown at section 8 of the first part of the abstract is in defective form, but as the note secured by the mortgage has been long past due, no action could be maintained upon same. The release shown at section 14 is also defective but shows that the notes secured by the mortgage were undoubtedly paid.

Attention is directed to the restrictions in the conveyance shown at section 1 of the first continuation wherein are found restrictions for a period of twenty-five years against the use of the premises for the erection of any buildings to be used for slaughter houses and the killing of animals, or the use of said premises for the sale of intoxicating liquors or malt beverages.

The abstract states no examination has been made in the United States District or Circuit Courts, nor in any subdivision thereof.

Taxes for the year 1923, although as yet undetermined, are a lien against the premises.

It is suggested that the proper execution of a general warranty deed by Lydia Schaffer, and husband if married, will be sufficient to convey the title to said premises to the State of Ohio when properly delivered.

Attention is also directed to the necessity of the proper certificate of the Director of Finance to the effect that there are unincumbered balances legally appropriated sufficient to cover the purchase price before the purchase can be consummated.

The abstract submitted is herewith returned.

Respectfully,

C. C. CRABBE,

Attorney-General.

763.

APPROVAL, BONDS OF BELMONT COUNTY, \$25,000.00, TO CONSTRUCT A BUILDING AND REPAIR BUILDINGS AT BELMONT COUNTY HOME.

COLUMBUS, OHIO, September 22, 1923.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

764.

SECURITIES—NOT PREDICATED ON REAL ESTATE UNLESS SECURED BY LIEN UPON SUCH REAL ESTATE SECTION 6373-14 G. C. CONSTRUED.

SYLLABUS:

Securities are not predicated on real estate within the meaning of section 6373-14 of the General Code unless they are secured by a lien upon such real estate.

COLUMBUS, OHIO, September 22, 1923.

HON. CYRUS LOCHER, *Director of Commerce, Columbus, Ohio.*

DEAR SIR:—Acknowledgment is made of your letter of August 24, 1923, in which you inquire in substance: