

north 83 degrees east 22.84 chains to a stone on the east line of said section; thence with the east line of said section north $\frac{1}{2}$ degree west 17.09 chains to the place of beginning containing 41.68 acres.

The basis of his claim to such deed as set forth by said application is that an error was made by the scrivener in the execution of the original deed wherein Governor Nash on January 16, 1901, attempted to convey the premises above described to C. D. Peffley, in this, to-wit: That while the two tracts as above set forth were mentioned in the granting clause of said deed, only one of said tracts was mentioned in the habendum clause. That the applicant has submitted an abstract which in my opinion discloses that he is the owner of the fee to said premises. He also has submitted the original deed referred to which in itself furnishes sufficient evidence of the error complained of.

After due consideration, it is my opinion that the said applicant is entitled to a corrected deed as requested, under the provisions of section 8528 G. C. A deed has been prepared which is regarded proper under the circumstances, and if you concur with my views herein, kindly sign and seal the same and transmit to the secretary of state for his counter signature, to be further delivered by him to the auditor of state for record and delivery to the party entitled thereto.

Inasmuch as in this case there were no premises erroneously conveyed, no quit-claim deed to the state will be required. Said abstract, deed and application are enclosed herewith.

Respectfully,
 JOHN G. PRICE,
Attorney-General.

2153.

APPROVAL, NINETEEN LEASES COVERING LANDS AT BUCKEYE LAKE, OHIO.

COLUMBUS, OHIO, June 9, 1921.

HON. JOHN I. MILLER, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—I acknowledge receipt of your letter of May 31, 1921, transmitting for my examination and approval the following leases covering lands at Buckeye Lake at the valuations as respectively indicated:

<i>Land Leases</i>	<i>Valuation</i>
To Louise C. Luchtenberg.....	\$400 00
William J. Housel.....	200 00
E. E. Kitsmiller.....	200 00
Carrie L. Jones, Ethel M. Jones and Goldie M. Scurman	400 00
Mrs. I. L. Spurgeon.....	200 00
Edith Sage.....	2,500 00
J. D. Brooke.....	400 00
H. G. Stowell.....	200 00
Grace Davis Ong.....	200 00
Wm. H. Conklin.....	200 00

Florence Stowell.....	200 00
Rosa Kaiser.....	200 00
E. H. Huffman.....	100 00
Maude E. Skinner and Clara B. Blessing.....	400 00
Mrs. Mayme Bailey Kraner.....	333 33 $\frac{1}{3}$
Mrs. Lena Kessler.....	200 00
A. E. Davis.....	200 00
The Del Fisher Boat Line Co.....	1,000 00
H. A. Keener.....	400 00

You also forward with your letter a lease to L. H. McNeal for canal lands in Walnut township, Pickaway county, value of \$600.

I have carefully examined said leases, find them correct in form and legal, and am therefore returning the same with my approval endorsed thereon.

Respectfully,

JOHN G. PRICE,

Attorney-General.

2154.

MUNICIPAL COURT—ACT ESTABLISHING COURT PROVIDES NO COURT COSTS AND FEES—SHOULD COLLECT SAME—SECTION 2898 G. C. ET SEQ. GOVERNS.

Although court costs and fees are not specially provided for in an act establishing a municipal court, it is intended that costs and fees should be collected unless otherwise provided for therein.

The court costs and fees in a municipal court are the same as in section 2898 et seq. G. C., unless therein otherwise provided.

COLUMBUS, OHIO, June 9, 1921.

Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.

GENTLEMEN:—Your letter of recent date received in which you request the opinion of this department, as follows:

“We respectfully refer you to sections 1579-183 to 1579-194 G. C., covering the municipal court of Middletown, Ohio, and beg to advise that the officers of said court assess no costs or fees whatsoever.

Question: Is such procedure legal?”

Through a personal conference it is learned that the basis of your inquiry is a desire to learn if the municipal court of Middletown should assess costs and fees.

In considering this matter it is necessary to take into consideration certain sections or parts thereof of H. B. No. 529, General Code sections 1579-183 to 1579-194, creating a municipal court for the city of Middletown, as follows:

“Section 1579-183. That there shall be and hereby is created a court for the city of Middletown, Butler county, Ohio, to be styled ‘the municipal court of the city of Middletown, Ohio,’ and it shall be a court of record. * * *.”