

2467.

APPROVAL, BONDS OF SCOTT TOWNSHIP, MARION COUNTY, OHIO—
\$1,717.39.

COLUMBUS, OHIO, October 20, 1930.

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

2468.

APPROVAL, BONDS OF CITY OF ZANESVILLE, MUSKINGUM COUNTY,
OHIO—\$6,000.00.

COLUMBUS, OHIO, October 20, 1930.

Industrial Commission, Columbus, Ohio.

2469.

DISAPPROVAL, FIVE GAME REFUGE LEASES TO LAND IN FULTON
COUNTY.

COLUMBUS, OHIO, October 20, 1930.

HON. JOHN W. THOMPSON, *Commissioner, Division of Conservation, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval the following leases which grant lands to the State for game refuge purposes:

<i>No.</i>	<i>Grantor</i>	<i>Acres</i>
2078	E. L. and Lucy Sindel, Pike Township, Fulton County-----	80
2079	Harry Double, et al., Pike Township, Fulton County-----	80
2080	Wm. D. Frazier, et al., Pike Township, Fulton County-----	98
2081	E. E. Sindel, Pike Township, Fulton County-----	12.27
2082	Geo. C. & Martha F. Bittikofer, Pike Township, Fulton County	40¾

After examination of the above leases and duplicate copies, I find that they are unexecuted by the lessee, the Conservation Council of Ohio, acting by yourself as Conservation Commissioner. Moreover, the state game refuge orders attached to the leases do not bear your signature. Furthermore, Lease No. 2080, supra, and the duplicate copy, show the lessor to be "Wm. D. Frazier, et al.," while the signature of the lessor is "W. D. Frazier." There is nothing to show that these parties are one and the same. The name in the granting clause should be the same as that indicated by the signature.

As for lease No. 2082, and the duplicate copy, the granting clause indicates the

lessors to be "Geo. C. Martha F. Bittikofer," while the signature is "George and Martha Bittikofer," obviously in the same handwriting. It being essential that the individual owners of the property should sign their names individually to said lease, it is obvious that the same cannot be approved in its present form.

For the above reasons, I am forced to return all of the leases submitted without my approval endorsed thereon.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2470.

APPROVAL, ABSTRACT OF TITLE TO LAND OF MARY HERB, KATHERINE THOMAS, FRANK HERB AND MARY MILLER IN FRANKLIN TOWNSHIP, ROSS COUNTY, OHIO.

COLUMBUS, OHIO, October 21, 1930.

HON. CARL E. STEEB, *Secretary, Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—There have been submitted for my examination and approval, an abstract of title, warranty deed, encumbrance estimate No. 789 and Controlling Board's certificate relating to the proposed purchase by the State of Ohio, of a tract of land situated in Franklin Township, Ross County, Ohio, which is owned of record by Mary Herb, widow of Johann Ernest Herb, deceased, and by Katherine Thomas, Frank Herb and Mary Miller, children of said Mary Herb and Johann Ernest Herb, deceased. The property here under investigation, is more particularly described as follows:

"Being part of Survey No. 9809.

Beginning at a stone in the south line of the original survey of 436 acres of land made by Lewis W. Sifford for the Harness heirs; thence N. 27° East 208 poles 5 links to a stone in the south line of Elizabeth Bennett's tract of 70 acres; thence N. 88° W. 68¾ poles to a stone in the west line of the original survey; thence S. 27¼° W. 58¾ poles to a stone and three hickories, east corner to the Silas Wright tract of 70 acres; thence S. 11° W. 136 poles to a stone in the south line of the original survey; thence S. 68½° E. 29½ poles to the beginning, containing 71 acres and 123 poles, more or less. Being the same premises conveyed to Johann Ernest Herb and Mary Herb by John H. Lewis by deed dated June 26, 1915, and recorded in Vol. 174, page 451, Ross County Deed Records."

Upon examination of the abstract of title submitted, I am of the opinion that said Mary Herb, Katherine Thomas, Frank Herb and Mary Miller have a good, merchantable title to the above described property, subject only to the lien of the taxes on said property for the year 1930, the amount of which is not stated in the abstract and was undetermined at the time the abstract was certified by the abstracter.

Upon examination of the warranty deed tendered by the owners of said property above named, I find that the same has been properly executed and acknowledged by such owners and by the husbands and wives respectively of the three above named children of Mary Herb and of Johann Ernest Herb, deceased; and that said