

2323.

APPROVAL, ABSTRACT OF TITLE TO LAND OF T. J. SANDERS AND WIFE, IN JEFFERSON TOWNSHIP, ADAMS COUNTY, OHIO.

COLUMBUS, OHIO, July 6, 1928.

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

DEAR SIR:—You recently submitted for my examination and opinion a corrected abstract of title and a warranty deed of one T. J. Sanders and wife, covering certain lands in Green and Jefferson Townships, Adams County, Ohio, and more particularly described in Opinion No. 2134 of this department, directed to you under date of May 19, 1928.

My examination of the corrected abstract shows that the defects in the original abstract noted in the former opinion have been corrected by further information which has been made a part of said abstract. The only serious objection raised to the title to these lands in and by said opinion was with respect to the failure of the abstract as originally submitted to set out the proceedings of the Common Pleas Court of Adams County showing the authority of the Sheriff of Adams County to convey the lands here in question to one Sam E. Davidson by a Sheriff's Deed in the ordinary form. This deed which was one under date of June 6, 1903, purported to convey to said Davidson these lands which at the time stood in the name of Frederick Dinkelaker and Henry Dinkelaker. There has been submitted as a part of the corrected abstract of title a certificate signed by the Common Pleas Judge of said county showing that on the 25th day of February, 1910, the Court House in said county was totally destroyed by a fire which likewise destroyed all of the records of the Common Pleas Court of said county. In this situation Sections 12349 and 15091-1, General Code, are applicable. Under the provisions of Section 12349, General Code, the Sheriff's Deed is prima facie evidence of the regularity of the judicial proceedings pursuant to which the same was executed, and under the provisions of Section 15091-1, General Code, the title of the lands conveyed by said deed is cured against any defects that may have existed in said proceedings. *Walker vs. Scott*, 7 Ohio App. 335.

The other defects in the original abstract of title having likewise been cured by further information which has been made a part of the corrected abstract, said corrected abstract of title and the warranty deed of T. J. Sanders and Gertrude Sanders, his wife, conveying said land to the State of Ohio, are hereby approved, subject to the exception hereby noted that the taxes on said lands for the last half of the year 1927 and for the year 1928 are unpaid and a lien.

I am herewith returning to you said abstract of title, warranty deed and copy of Opinion No. 2134 of this department above referred to.

Respectfully,

EDWARD C. TURNER,  
*Attorney General.*

2324.

DISAPPROVAL, ABSTRACT OF TITLE TO LAND OF OLIVER C. WICKERHAM AND WIFE, IN NILE TOWNSHIP, SCIOTO COUNTY, OHIO.

COLUMBUS, OHIO, July 6, 1928.

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

DEAR SIR:—You recently submitted for examination and opinion an abstract of