

Section 2293-28, General Code, provides, insofar as pertinent, as follows:

"If said notes or bonds are rejected by such officers, then notes having a maturity of two years or less may be sold at private sale at not less than par and accrued interest, and all bonds and notes having a maturity of more than two years shall be sold to the highest bidder, after being advertised once a week for three consecutive weeks and on the same day of the week, the first advertisement being published at least twenty-one full days before the date of sale, in a newspaper having general circulation in the county where the bonds are issued. The advertisement shall state the total amount of bonds or notes and interest thereon to be sold, how long they are to run, the rate of interest to be paid thereon, the dates of payment of interest, the purpose of the issue and the day, hour and place in the county where they are to be sold.
* * * "

The foregoing section contains no authority for the advertisement of bonds in an indefinite amount. It is expressly provided that after bonds having a maturity of more than two years have been rejected by the sinking fund trustees, the advertisement "shall state the total amount of bonds * * * to be sold". Under these circumstances I think there is considerable question as to the legality of the notice which purports to have been published in accordance with the provisions of Section 2293-28, supra, and the award made pursuant thereto. I accordingly advise you not to purchase these bonds.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2292.

APPROVAL, CERTIFICATE OF TITLE TO LAND OF WYLIE E. POTTS,
IN BETHEL TOWNSHIP, CLARK COUNTY, OHIO.

COLUMBUS, OHIO, September 4, 1930.

HON. A. T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—There has been submitted for my examination and approval a certificate of title of certain farm lands owned by Wylie E. Potts, consisting of 201.205 acres situated in Bethel Township, Clark County, Ohio, being the same premises appropriated by the State of Ohio for the site of the Ohio Revolutionary Memorial State Park in Clark County, Ohio.

From said certificate of title I find that said Wylie E. Potts has title in fee simple subject to a certain mortgage thereon to the Springfield Building and Loan Association, of Springfield, Ohio, in the sum of \$10,000, and also a certain mortgage now on said premises held by Roscoe O. Snider, Springfield, Ohio.

You have also submitted to me a quit claim deed executed by the said Wylie E. Potts, and Winifred Potts, his wife, which deed has been executed pursuant to, and in furtherance of, the appropriation hereinbefore mentioned.

I find said deed to be in proper form and duly executed, and delivery thereof vested in the State of Ohio the fee simple title to the aforementioned tract of land.

The liens of the aforesaid mortgages were properly released of record prior to the

delivery of the warrant for the amount assessed by the jury as compensation for the land taken. Accordingly, the title of the State is unaffected thereby.

Respectfully,

GILBERT BETTMAN,
Attorney General.

2293.

APPROVAL, BONDS OF CITY OF CLEVELAND HEIGHTS, CUYAHOGA COUNTY, OHIO—\$3,000.00.

COLUMBUS, OHIO, September 4, 1930.

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

2294.

APPROVAL, TWO ABSTRACTS OF TITLE TO LAND IN THE CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO.

COLUMBUS, OHIO, September 5, 1930.

State Office Building Commission, Columbus, Ohio.

GENTLEMEN:—There has been submitted for my examination and approval two certain abstracts of title, warranty deeds and other files relating to the proposed purchase by the State of Ohio of a certain parcel of land situated in the city of Columbus, Franklin County, Ohio, and more particularly described as follows:

FIRST TRACT: Being thirty one and one-quarter ($31\frac{1}{4}$) feet off of the north side of fractional inlot No. 115, in the city of Columbus, Ohio, as said lot is numbered and delineated upon the recorded plat thereof, of record in Deed Book "F", page 332, Recorder's Office, Franklin County, Ohio.

SECOND TRACT: Being thirty one and one-quarter ($31\frac{1}{4}$) feet off of the south side of fractional Inlot No. 116, in the city of Columbus, Ohio, as said lot is numbered and delineated upon the recorded plat thereof, of record in Deed Book "F", page 332, Recorder's Office, Franklin County, Ohio.

Said tracts together being the same premises conveyed to one George E. Mitchell, by Mary Jane Laurens, June 15, 1889, and recorded in Deed Book No. 205, page 382, in the Office of the County Recorder of Franklin County, Ohio; and by Elizabeth Treyens on August 23, 1906, and recorded in Deed Book No. 433, page 508, in the office of the Recorder of Franklin County, Ohio."

Upon examination of said abstract of title, the last continuances of which are certified by the abstracter under date of August 12, 1930, I find that Mrs. Pearl M. Mitchell has a good and indefeasible title to the underlying fee in and to the above