

1310.

APPROVAL, LEASE, H. S. WILLARD, COAL RIGHTS, SUPPLEMENTING  
LEASE GRANTED OCTOBER 29, 1918.

COLUMBUS, OHIO, June 5, 1920.

HON. A. V. DONAHEY, *Auditor of State, Columbus, Ohio.*

DEAR SIR:—Acknowledgment is made of the receipt of your recent letter transmitting for the approval of this department the sale and lease agreement to H. S. Willard, dated May 14, 1920.

From your letter it is noted that this lease is intended to supplant a former lease to Mr. Willard for the same coal rights dated the 14th of October, 1918, which was duly executed and approved by my predecessor on the 29th day of October, 1918.

It is also noted that the reason for executing the present lease is occasioned by Mr. Willard's misapprehension as to the effect of the former lease and that in your judgment the present lease is intended to merely more clearly state the same purpose and effect embodied in the former lease, but that as a matter of assurance to Mr. Willard your department has agreed to make and execute this new conveyance to take the place of the former one, which will be cancelled upon the delivery of the present lease.

In view of these facts no objection is apparent and the enclosed lease is therefore approved.

Respectfully,

JOHN G. PRICE,  
*Attorney-General.*

1311.

APPROVAL, ABSTRACT AND DEED, PREMISES SITUATED IN PERRY  
COUNTY, VILLAGE OF NEW LEXINGTON, OHIO, COMLY'S ADDI-  
TION.

COLUMBUS, OHIO, June 5, 1920.

HON. ROY E. LAYTON, *Adjutant General, Columbus, Ohio.*

DEAR SIR:—An examination has been made of an abstract which was certified by W. A. Allen, Abstracter, April 7, 1920, and submitted by you for an opinion in reference to the status of the title to the following described premises:

Situated in the county of Perry, in the state of Ohio and in the village of New Lexington, and bounded and described as follows:

Being lot number one hundred and four (104) in Comly's addition to the said village of New Lexington, Ohio, as the same is designated and delineated on the recorded plat of said addition now on file in the office of the recorder of said county.

The abstract shows the chain of title to said premises from June 14, 1816, the date upon which a conveyance was made by Samuel Clayton and wife to James Comly, but does not disclose where the said Samuel Clayton or his predecessors in title obtained the title. However, in view of the lapse of time it is not believed this defect constitutes a serious objection.

It is also noted that in the conveyance described at page 31 a release of dower is not shown, neither does it appear that the grantor, Frank Spencer, was unmarried.