

29.

APPROVAL, NOTES OF AMERICAN RURAL SCHOOL DISTRICT, ALLEN COUNTY, OHIO—\$3,500.00.

COLUMBUS, OHIO, January 17, 1933.

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

30.

RECORDS—COUNTY RECORDER NOT REQUIRED TO CERTIFY THAT A RECORD IS AUTHENTIC.

SYLLABUS:

1. *The provisions of section 2759 of the General Code, specifying how the record of deeds, mortgages and other instruments shall be made, are exclusive and compliance therewith makes the record complete.*

2. *Section 2759 of the General Code does not require a certificate signed by the recorder to the effect that the record is a correct copy of the original instrument.*

COLUMBUS, OHIO, January 18, 1933.

HON. F. E. CHERRINGTON, *Prosecuting Attorney, Gallipolis, Ohio.*

DEAR SIR:—I have your letter of recent date which reads as follows:

“The following probably does not come within the province of your office, but is a matter in which I have instructed, and it applies especially to the office of Recorder in this County. An instrument, Deed, Mortgage, etc., is recorded, loose leaf records being employed. Completed, showing date and hour received and date of record, all typewritten, the records are signed with typewriter, as, for instance, ‘Sam Jones, Recorder’, and without any certificate that same is a true and correct copy of the original instrument.

My peculiarity is that I believe there should be a certificate by the Recorder that the record is a correct copy of the original instrument, and that certificate signed, in ink, by the Recorder, or his Deputy.

I do not, as above stated, know that this is a matter requiring an opinion from you, but often we are confronted with a statement that the record of the instrument is not a true copy, and, without the *signature* of the Recorder as to the genuineness of the record, whether such record really is sufficient, so I am asking that you advise.”

Section 2759 of the General Code specifies how the record shall be made by the recorder and is the only section of the statutes pertinent to your inquiry. It provides:

“The county recorder shall record in the proper record in a fair and legible handwriting, typewriting, or printing, all deeds, mortgages, or