

times as they occur. A docket is a public record to be kept open to the public so as to enable persons to determine the status of cases before a magistrate. A mere memorandum made for the magistrate's convenience, merely to aid his memory, cannot be of any service to the public.

In specific answer to your inquiry, I am of the opinion that the mayor of a city not having a police court, and the mayor of a village, must keep a criminal docket and make entries of proceedings before him immediately as they occur.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*

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1310.

APPROVAL, ABSTRACT OF TITLE TO LAND OF GUSTAV H. MOEHLMAN  
IN NORWALK, HURON COUNTY, OHIO.

COLUMBUS, OHIO, December 19, 1929.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination an abstract of title, deed form, encumbrance estimate No. 6298 and Controlling Board's certificate relating to the purchase of 1.27 acres of land and buildings thereon located in Norwalk, Huron County, Ohio, from Gustav H. Moehlman for the sum of sixteen thousand five hundred dollars (\$16,500.00), said property to be used as a garage and storage point in connection with state highway maintenance. Said property is more particularly described as follows:

*Parcel I.* Being part of original Out-lot number forty-three (43) described as follows: Commencing at the southwest corner of In-lot number 719, thence easterly along the southerly line of said In-lot No. 719, eighty and nine-tenths (80.9) feet to the southeast corner thereof; thence southerly along the westerly line of In-lots Nos. 613-612-611-610 and part of No. 609, two hundred seventy-eight and four tenths (278.4) feet to an angle; thence westerly sixteen and five-tenths (16.5) feet; thence southerly eighteen and twenty-six hundredths (18.26) feet to the northern right-of-way of The New York Central Railroad; thence westerly along the northerly right-of-way of said railroad a distance of two hundred sixty-two and seventeen hundredths (262.17) feet to the southeasterly corner of In-lot number 1008; thence northerly along the easterly line of In-lots Nos. 1008-241-242-243-244 and 245, a distance of three hundred forty-nine and seventy-five hundredths (349.75) feet to the place of beginning, and containing one and twenty-seven hundredths (1.27) acres of land, according to the survey of C. T. Williams, Huron County, surveyor.

*Parcel II.* Also, the right of free and unrestricted use for driveway purposes, of a strip of land ten (10) feet wide across the south side of In-lot No. 613, in said city of Norwalk; being part of the premises heretofore purchased by grantor from Charles Bostwick Parker and Ora Nile Parker Stewart, executors of the estate of Rosaltha G. Parker, deceased, as recorded in Vol. 110, pages 457-458 of Huron County Record of Deeds."

The abstract under consideration was prepared by The Tucker Abstract Company

of Norwalk, under date of October 21, 1929, and I am of the opinion that same shows a good merchantable title to said premises in Gustav H. Moehlman and Cecil M. Moehlman his wife, free and clear from all encumbrances excepting taxes due December 20, 1929, and June 30, 1930, which grantor assumes and agrees to pay.

An examination of the deed form of the deed to be executed by said Gustav H. Moehlman and Cecil M. Moehlman, his wife, shows that the same is in form sufficient to convey to the State of Ohio a fee simple title to the above described property. This deed has not yet been signed or otherwise executed, and care should be taken to see that said deed is properly acknowledged and executed, after which it should be re-submitted to this department for approval.

The encumbrance estimate and Controlling Board's certificate are in regular form and executed by the proper officials.

I am returning herewith said abstract of title, warranty deed form, encumbrance estimate and Controlling Board's certificate.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*

1311.

APPROVAL, ABSTRACT OF TITLE TO LAND OF CHARLES H. MAY IN  
CITY OF PIQUA, MIAMI COUNTY, OHIO.

COLUMBUS, OHIO, December 19, 1929.

HON. A. W. REYNOLDS, *Adjutant General, Columbus, Ohio.*

DEAR SIR:—You have resubmitted for my examination an abstract of title covering In-lots 5009 to 5015, inclusive, and In-lots 5034 to 5055, inclusive, located in Charles H. May's addition to the city of Piqua, in Washington Township, Miami County, Ohio. You further advise that said land is to be donated to the State of Ohio by the city of Piqua as an Armory site.

Since receiving my Opinion No. 1210, dated November 20, 1929, you have caused the abstract to be extended under date of November 21, 1929, by the Abstractors, H. E. Green and Son, and they now certify under said date that "Chas. H. Hay" is the owner of the lands in question, but this is presumably a typographical error, as the chain of title shows it to rest in Chas. H. May. This error, appearing on page 91 of the abstract, should be corrected.

I am of the opinion that the abstract of title, corrected as above outlined, will show that Chas. H. May, the owner of record of said premises, has a good and merchantable fee simple title to the same, free and clear of all encumbrances except taxes for the year 1929 and any special assessments which may be due.

You did not resubmit the deed for my examination, and this should be done after it has been properly executed.

I am returning herewith the abstract of title.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*