

assembly, it must not be overlooked that the courts in those cases were speaking with reference to final or *sine die* adjournments. See also 1920 Opinions of Attorney-General, Vol. I, page 194, 196. Such an adjournment is not now involved. On the contrary, the adjournment we are dealing with is one effected by the governor in the exercise of the power vested in him by section 9, Article III, Ohio constitution, and in the proclamation issued by the governor the time to which the general assembly has been adjourned is fixed at December 30, 1922. Such adjournment is not a final or *sine die* adjournment in fact; nor could it be in effect, since the date fixed by the governor not only precedes the expiration of the terms of office of the members elected to the present general assembly, but also precedes the time of the commencement of the next regular session on the first Monday in January, 1923. See section 25, Article II, Ohio constitution, fixing time of the commencement of the regular sessions of the general assembly.

You are therefore advised in answer to the second question that the committee appointed under senate resolution No. 58 is authorized to function until the final or *sine die* adjournment of the present general assembly.

Respectfully,

JOHN G. PRICE,
Attorney-General.

2185.

APPROVAL, ABSTRACT TO 10.66 ACRES OF LAND IN ERIE TOWNSHIP, OTTAWA COUNTY, OHIO, WHICH FORMERLY BELONGED TO THE OHIO RIFLE RANGE ASSOCIATION.

COLUMBUS, OHIO, June 22, 1921.

HON. GEORGE FLORENCE, *Adjutant General of Ohio, Columbus, Ohio.*

DEAR SIR:—You have submitted to this department an abstract which was certified to by A. L. Duff, attorney and abstractor, January 27, 1920, and further continued by the same person June 16, 1921, and inquire as to the status of the title to the following described premises as disclosed by said abstract:

“Being the east half of the southeast quarter of fractional section twenty-one (21), town seven (7), range sixteen (16), Erie township, Ottawa county, Ohio, lying north of the county road, excepting the west 3 342-1000 acres thereof; said 3 342-1000 acres being one hundred and twenty-eight (128) feet wide east and west measured from and at right angles to the west line of the east half of said southeast quarter, said tract containing 10 66-100 acres of land.”

You are referred to an opinion of this department addressed to your predecessor under date of March 22, 1920, (found in Opinions of Attorney-General for that year, Vol. I, p. 316), which approved the title to the premises described as of the date of the abstract as being in the name of Frank Holt, trustee. In the certificate dated June 16, 1921, it is stated that there are no matters of record affecting the title to said premises since the date of said abstract. Said continuation discloses that the taxes for the year 1920 have

been paid. Therefore, the conclusion must be that the title to said premises at the date of said continuation was in the name of the said Frank Holt, as trustee.

Said abstract discloses court proceedings wherein the said premises were conveyed to the said trustee in pursuance to an order of court for the purposes disclosed in said proceedings.

You have submitted a deed wherein the said Frank Holt, as trustee, conveys said premises to the state of Ohio, which, in the opinion of this department, is executed in proper form and is sufficient to convey his title.

You have also submitted a certificate from the auditor of state to the effect that there is a balance in the proper appropriation sufficient to cover the expenditure necessary in pursuance of the proposed contract to purchase said premises.

Respectfully,
 JOHN G. PRICE,
Attorney-General.

2186.

AUTOMOBILES—NOT NECESSARY TO FILE WITH CLERK OF COURTS COPY OF BILL OF SALE OR SWORN STATEMENT BY PERSON WHO ORIGINALLY PURCHASED SAME FROM MANUFACTURER OR MANUFACTURER'S AGENT PRIOR TO PASSAGE OF ACT—AMENDED SENATE BILL NO. 3 (109 O. L. 330) CONSTRUED—FEES CHARGEABLE BY CLERK OF COURTS FOR INDEXING AND FILING DUPLICATE BILL OF SALE, ETC.—MEANING OF WORDS "AFTER PASSAGE OF THE ACT."

Under the provisions of Amended Senate Bill No. 3 it is not necessary to file with the clerk of courts a copy of a bill of sale or sworn statement for any motor vehicle owned by a person who originally purchased same from a manufacturer or manufacturer's agent prior to the passage of this act.

Under the provisions of Amended Senate Bill No. 3 the clerk of courts can make the following fee charges:

Indexing and filing duplicate bill of sale, 25 cents.

Indexing and filing original of such bill of sale, 25 cents.

For certified copy of sworn statement, 10 cents per hundred words.

The words "after passage of the act" as used in Amended Senate Bill No. 3 mean after the act becomes operative.

COLUMBUS, OHIO, June 22, 1921.

Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.

GENTLEMEN:—Your communication of recent date received in which you ask my opinion as follows:

"1. Does section 11 of amended Senate Bill No. 3, being 'an act to prevent traffic in stolen cars, require registration and bill of sale to be given in event of sale or change in ownership of motor vehicles,' apply to any motor vehicle now owned by a person who originally purchased same from a manufacturer or a manufacturer's agent?

2. What fees are taxable by the clerk of courts under sections 8 and 11 of this act?"

Section 11 of Amended Senate Bill No. 3 is as follows: