

izes county commissioners to provide for lighting county buildings, which authority would very properly extend to the exterior as well as the interior of said buildings. It must be borne in mind, however, that any individual owner of property may provide for its lighting but such authority does not preclude such owner from the obligation of paying his part of an assessment which a municipality, in which such property lies, has levied for a lighting improvement benefiting such property.

In view of the foregoing and in specific answer to your question, I am of the opinion that:

1. Section 3812, General Code, confers upon a municipality general authority to levy assessments for the lighting of streets within the municipality against property belonging to the county bounding and abutting upon the improvement, and no provisions exist in the General Code exempting such property from the general authority.

2. In the event of failure of the Board of County Commissioners to pay an assessment so levied, an action may be brought by the municipal corporation against such Board of County Commissioners to recover the amount of such assessment.

Respectfully,
GILBERT BETTMAN,
Attorney General.

1308.

APPROVAL, ABSTRACT OF TITLE TO LAND OF ANNA R. OVERLY,
BENTON TOWNSHIP, PIKE COUNTY, OHIO.

COLUMBUS, OHIO, December 18, 1929.

HON. CARL E. STEEB, *Secretary, Ohio Agricultural Experiment Station,*
Columbus, Ohio.

DEAR SIR:—This is to acknowledge receipt of your communication of recent date, submitting therewith abstract of title, warranty deed, encumbrance estimate No. 5839 and Controlling Board's certificate relating to the proposed purchase of a tract of 300 acres of land situated in Benton Township, Pike County, Ohio, the same being owned of record by Anna R. Overly, a widow, and being more particularly described as follows:

"FIRST TRACT: Part of the E. T. and H. H. Conways Survey No. 15593, beginning at a black oak, N. W. corner of the Littlejohn tract of this survey; thence N. 63 poles to a black oak, thence N. 38 deg. W. 36 poles to a black oak and white oak; thence N. 81 deg. W. 22 poles to two white oaks; thence S. 26 deg. W. 40 poles to a stake; thence S. 3 deg. W. 200 poles to a stake; thence S. 75 deg. E. 64 poles to the southwest corner of said Littlejohn tract; thence with the same N. 3½ deg. W. 198 poles to the beginning, containing One Hundred (100) Acres, more or less. Being bounded on the north by the lands of A. Vincent, on the east by the lands of Littlejohn, on the south by the lands of Ferdinand Hawthall, and on the west by the C. C. Colman tract.

SECOND TRACT: Being part of said Conway's Survey No. 15593, beginning at a white oak N. W. corner of T. J. Yauger tract of said survey; thence S. 3½ deg. W. 192 poles and 16 links to a stake; thence S. 62 deg. E. 88 poles to a stake in the line of the original survey corner to the D. E. Blain tract; thence E. 2½ deg. E. 200 poles to a stake in the north line of said sur-

vey; thence S. 26 E. to a poplar and hickory, and original corner to said survey; thence S. 87 deg. W. 32 poles to two white oaks; thence N. 32 deg. W. 42 poles to a white oak; thence W. 10 poles to the beginning, containing One Hundred (100) Acres, more or less, being the same land conveyed by John Vallery, Sheriff of Pike County, Ohio, to T. N. Shipman, by deed dated May 13, 1891.

THIRD TRACT: Being part of a tract containing 400 acres, and which is a part of the same lands located in the name of Julia H. and Evaline T. Conway, and survey No. 15593, being 100 acres and the eastern portion of said tract of 400 acres, bounded on the east by the east line of said 400 acre tract, being a straight line of 217 poles, and runs 2 deg. E. from a white oak corner to survey No. 3255 on the northern boundary line of said 400 acre tract; on the west by a line of said premises, and on the south side by the south boundary line of said 400 acre tract, containing 100 acres, more or less, all of the aforesaid land having been conveyed to A. J. Miller by deed dated June 23, 1888."

You also inform me that said tract of 300 acres of land is to be purchased for the sum of \$5.50 per acre, or a total sum of \$1,650.00.

The abstract under consideration was prepared by Lillian Flannigan, abstractor, under date of November 14, 1929. It shows that the premises were deeded to said Anna R. Overly on July 15, 1925, by a sheriff's deed, and that the Common Pleas Court of Pike County, preceding the execution of said deed, cancelled a mortgage of \$1,500 against said premises which had appeared on the recorder's records as unsatisfied since April 10, 1917. The abstract discloses that no examination has been made in the United States Court or any of its subdivisions.

You have submitted tax receipts showing that taxes against said premises due at the June, 1929, settlement are paid.

Upon examination of said abstract, I am of the opinion that same shows a good and merchantable title to said premises to have been in Anna R. Overly, a widow, on November 14, 1929.

The warranty deed is in proper form and sufficient to convey title in the premises to the State of Ohio; it is to be observed that the grantee in the deed agrees to assume and pay taxes due and payable in December, 1929.

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

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

Respectfully,
GILBERT BETTMAN,
Attorney General.

1309.

CRIMINAL DOCKET—MAYORS OF CITIES HAVING NO POLICE COURT
AND VILLAGES REQUIRED TO KEEP.

SYLLABUS:

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.