

Upon examination of the said abstract, I am of the opinion that same shows a good and merchantable title to said premises in Michael C. Hirsch, subject to the following:

The taxes for the year 1925, amounting to the sum of \$20.56, also a balance of \$4.80, special road tax are a lien on said premises.

Attention is also directed to the deficiency in the early history of the title in that there is no patent from the United States Government of record in the records of Clermont County. However, there is indication in the conveyance abstracted at page 5 of the abstract to the effect that such land was patented by the President of the United States on June 26, 1798, said patent being recorded in the office of the Department of State at Washington in Volume 1, page 285. In view of this indication, it is believed this deficiency can be waived.

Attention is also directed to the matter of the lack of the proper conveyance of the premises under consideration following the partition proceedings abstracted at pages 11, 12, 13, 14 and 15 of the abstract. However, in view of the fact that the proceedings referred to are full and sufficient basis and authority for such deed and the further fact that the order of the court directs that such deed be made to the sheriff, it is believed this deficiency may be disregarded.

Attention is also directed to the abstract of a warranty deed at page 16 of the abstract in which no disclosure is made as to whether or not the grantor was a married man or single, and in which no disclosure is made with reference to dower right. However, in view of the date of this conveyance, March 20, 1855, it is believed this deficiency may also be disregarded. The same criticism obtains with reference to the conveyance abstracted at page 17.

Attention is also directed to the conveyance abstracted at pages 23 and 24, in neither of which has there been revenue stamps attached. However, it appears in the conveyance at page 23 that the transfer was made in consideration of \$1.00 and love and affection, in which case it is probable that no revenue stamp was required. The same may be true of the conveyance shown at page 24. But in either conveyance it is not believed that the lack of revenue stamps would affect the transfer of the title but might subject the parties to the penalty provided in the Federal Law.

It is further suggested that the proper delivery of the already executed deed as submitted will be sufficient to convey the title to the premises under consideration to the State of Ohio. The encumbrance estimate to the effect that there are unencumbered balances legally appropriated sufficient to cover the purchase price appears to be properly certified by the Director of Finance. The transcript of the minutes of the Controlling Board indicating the consent and approval of said Board is sufficient compliance with Section 12 of the General Appropriation Act of the 86th General Assembly appropriating the monies for the purpose of this purchase.

The abstract of title, warranty deed, encumbrance estimate, and transcript of the minutes of the Controlling Board submitted by you are herewith returned.

Respectfully,

C. C. CRABBE,

Attorney General.

3015.

APPROVAL, BONDS OF VILLAGE OF EUCLID, CUYAHOGA COUNTY,
\$18,000.00.

COLUMBUS, OHIO, December 14, 1925.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.