

estimates of cost have been prepared, approved by the Director of Highways and Public Works and filed with the Auditor of State.

Finding said contract and bond in proper legal form except as above indicated, I have made an investigation in the office of the Auditor of State and find that the plans, details, specifications, bills of material and estimates of cost bearing the approval of the Director of Highways and Public Works have been filed with the Auditor of State. I am accordingly returning the contract herewith to you with my approval noted thereon, together with all other data submitted in this connection.

Respectfully,

EDWARD C. TURNER,
Attorney General.

295.

APPROVAL, ABSTRACT OF TITLE TO LAND IN AUBURN TOWNSHIP, GEAUGA COUNTY, OHIO, TO BE USED FOR STATE HIGHWAY PURPOSES.

COLUMBUS, OHIO, April 6, 1927.

HON. GEORGE F. SCHLESINGER, *Director of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—Receipt is acknowledged of your letter under date of April 1, 1927, resubmitting for examination an abstract and warranty deed covering the proposed purchase of real estate for state highway purposes located in Auburn township, Geauga county, Ohio.

The deed and abstract were returned to you because of a defect in the deed in that the acknowledgments did not appear on the same sheet as the signatures of the respective grantors as required by Section 8510, General Code, and in that the abstract did not show that the land of which the tract sought to be purchased is a part, was ever patented by the United States to anyone.

I have examined the deed and abstract as resubmitted and find that they conform to the suggestions made by me in my letter of February 4th. I am therefore of the opinion that the abstract shows a good and merchantable title in Leslie C. Hall, Grace Boone and Walter Boone, A. J. Ledwell, and H. R. Ford, and that the deed submitted is in proper form to convey a fee simple title to the State of Ohio when delivered.

You have not submitted the encumbrance estimate, and I am therefore not passing upon the same.

I am returning the deed and abstract to you herewith.

Respectfully,

EDWARD C. TURNER,
Attorney General.

296.

DISAPPROVAL, BOND FOR FAITHFUL PERFORMANCE OF DUTIES—TRACEY BRINDLE.

COLUMBUS, OHIO, April 6, 1927.

HON. GEORGE F. SCHLESINGER, *Director of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my consideration a duplicate bond in lieu of original official bond executed by Tracey Brindle on August 15, 1923, in the amount of

\$5,000.00, with the Southern Surety Company as surety, to cover the faithful performance of his duties as resident deputy state highway commissioner in Division No. 3.

In your letter you state that this duplicate bond is issued in lieu of the original for the reason that the original is not on file in the office of the Secretary of State and that you can find no record of the same in your office.

It will be noted that in the body of the bond the name "Tracey Brindle" appears and that it is signed "Tracey S. Brindle". There is no evidence before this department at this time that Tracey Brindle as mentioned in the body of said bond is one and the same person as Tracey S. Brindle who signed the bond.

The signature of the principal and the name as given in the body of the instrument should be the same.

The bond should also recite that this is a duplicate to take the place of one executed on the fifteenth day of August, 1923, and which has been lost. Otherwise it would appear as an original bond. The word "duplicate" at the top is not sufficient to identify it.

The financial statement, the certificate of the Department of Insurance and the power of attorney of Mr. Atkinson should relate to the fifteenth day of August, 1923, rather than the present time.

For the above mentioned reasons I cannot approve said bond.

When these corrections have been made you may again submit the bond for my approval.

Respectfully,
EDWARD C. TURNER,
Attorney General.

297.

APPROVAL, BONDS OF VILLAGE OF FAIRVIEW, CUYAHOGA COUNTY,
OHIO—\$17,244.61.

COLUMBUS, OHIO, April 6, 1927.

Industrial Commission of Ohio, Columbus, Ohio.

298.

DISAPPROVAL, BONDS OF VILLAGE OF WESTON, WOOD COUNTY, OHIO
—\$4,700.00.

COLUMBUS, OHIO, April 6, 1927.

Re: Bonds of village of Weston, Wood county, \$4,700.00.

Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN:—Upon examination of the transcript for the above bond issue and the supplementary information furnished in response to correspondence from this office, it appears that the 1926 tax duplicate of the village is \$970,660.00. This is shown by the certificate of the auditor of the county.