

If the resolution providing for the submission of the proposition and the ballot to be voted at the election both show the rate of taxation, in addition to that which may be levied without a vote of the people and the years it is proposed to make such levy, and the proposition carries at the polls, there can be no question after the election what the intent of the voters was, and the necessity of resort to a judicial construction of the meaning of the term "fifteen mill limitation" and its attendant uncertainties will be averted.

It is my opinion therefore, that the form of resolution you have submitted with your inquiry should be changed in accordance with the observations herein made.

Since receiving your inquiry, you have submitted another resolution which recites the status of the levy authorized by vote in 1926 and therefore is sufficient in that respect. The form of the proposed ballot, however, should be changed as herein suggested.

Respectfully,

EDWARD C. TURNER,
Attorney General.

2639.

APPROVAL, ABSTRACT OF TITLE TO LAND OF BAILEY W. GILFILLAN,
IN THE CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO.

COLUMBUS, OHIO, September 28, 1928.

HON. CARL E. STEEB, *Secretary, Board of Trustees, Ohio State University, Columbus, Ohio.*

DEAR SIR:—I have made a careful examination of a corrected abstract of title and warranty deed of certain real property situated in the City of Columbus, Franklin County, Ohio, and more particularly described as follows:

"Being Lots Numbers Four (4), thirty (30) and Thirty-one (31) of Critchfield and Warden's Subdivision of the South one-half of the North one-half of Lot No. 278, R. P. Woodruff's Agricultural College Addition to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 4, page 234, Recorder's Office, Franklin County, Ohio."

As a result of my examination I find that Bailey W. Gilfillan, the owner of record of said lots above described, has a good and merchantable fee simple title to the same, free and clear of all encumbrances whatsoever, except the undetermined taxes thereon for the year 1928.

As may be noted, the abstract of title submitted covers the history of the title to said lots only from the year 1889, down to the present time. However, the State of Ohio has recently purchased a number of other lots in said subdivision, the abstracts of title to which cover the history of such titles from the Government down to date, and in passing upon the abstract of title here submitted I had recourse to an abstract of title of another lot in said subdivision recently purchased, which abstract was obtained from the office of the Auditor of State for the purpose of checking the title down to the year 1889, when the history of the title in the abstract here submitted begins.

I have likewise examined the warranty deed signed by said Bailey W. Gilfillan and Eliza D. Gilfillan, his wife, conveying to the State of Ohio the above described premises. I find said deed to be properly executed and acknowledged and to be in form sufficient to convey to the State of Ohio a fee simple title to said premises, free and clear of all encumbrances except the undetermined taxes for the year 1928.

Encumbrance No. 4037 submitted with the corrected abstract and warranty deed shows that the same has been executed by the proper officers and that there is a proper appropriation account out of which the purchase price of said property is to be paid. The purchase here in question is one that does not require the approval of the Controlling Board and no certificate with respect to the action of said board is submitted.

I herewith enclose said corrected abstract of title, warranty deed, encumbrance estimate and other files submitted to me relating to the purchase of the lots above described.

Respectfully,

EDWARD C. TURNER,
Attorney General.

2640.

APPROVAL, BONDS OF THE VILLAGE OF TORONTO, JEFFERSON
COUNTY—\$13,800.00.

COLUMBUS, OHIO, September 28, 1928.

Industrial Commission of Ohio, Columbus, Ohio.

2641.

APPROVAL, BONDS OF FRANKLIN COUNTY, OHIO—\$299,899.00.

COLUMBUS, OHIO, September 28, 1928.

Industrial Commission of Ohio, Columbus, Ohio.

2642.

APPROVAL, FINAL RESOLUTIONS ON ROAD IMPROVEMENTS IN
CUYAHOGA COUNTY.

COLUMBUS, OHIO, September 28, 1928.

HON. HARRY J. KIRK, *Director of Highways, Columbus, Ohio.*