

The title to these premises as shown by the abstract of title in its present form can not be approved for the following reasons:

Under the terms of the will of John Garrod, probated August 18, 1866, property containing the tract under consideration was devised to his wife Harriet Garrod, to be enjoyed by her as long as she remained his widow; but in case the wife should again re-marry, the testator directed that her dower interest should be set off and assigned to her and the residue divided equally among his children, share and share alike. The abstract, without disclosing any disposition of her interest in the property, discloses that Walter J. Garrod and Susan Garrod, his wife, and Alfred W. Garrod, unmarried, transferred the undivided two-fourths interest in the property by deed dated December 15, 1890, to Orby F. Garrod and Robert J. Garrod.

By deed dated January 17, 1896, Orby F. Garrod and wife transferred the property to Richard M. Gard; but not until the execution of a deed on June 15, 1896, did Orby F. Garrod become possessed of the undivided half interest of his brother Robert J. Garrod. Richard M. Gard obtained legal title to Orby Garrod's half interest only under the deed of January 17, 1896, because, in so far as the abstract discloses, Orby Garrod did not become the owner of the other half interest until Robert Garrod executed his deed to Orby Garrod in June, 1896. Further information should be secured to show that Orby F. Garrod was seized of the undivided half of the premises in question conveyed to him by Robert J. Garrod on June 15, 1896, at the time he deeded the property to Richard M. Garrod, viz., January 17, 1896, if Orby F. Garrod were in fact so seized.

I herewith return the copy of the resolution of the board of trustees, the abstract and the deed.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

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1013.

APPROVAL, FINAL RESOLUTIONS ON ROAD IMPROVEMENTS IN  
WARREN COUNTY.

COLUMBUS, OHIO, September 16, 1927.

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

DEAR SIR:—I am in receipt of your letter of September 12, 1927, submitting for my approval certified copy of the following supplemental final resolution:

Columbus-Portsmouth Rd. I. C. H. No. 6.  
Sec. N. Warren County.

Your attention is directed to the fact that the name of the auditor of Warren County does not appear in the body of said resolution. His name should be inserted inasmuch as the commissioners of the county certified that the auditor certified that

the share of the cost of the improvement to be borne by the county was in the treasury to the credit of said road improvement fund and not appropriated for any other purpose.

Also submitted was supplemental final resolution on the following improvement :

Cleveland-Meadville Rd. I. C. H. No. 15.  
Sec. B, C, D & E. Cuyahoga County.

I have carefully examined said resolutions and find them correct in form and legal. I am therefore returning the same to you with my approval endorsed thereon, in accordance with Section 1218 of the General Code.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

1014.

APPROVAL, 4 GAME REFUGE LEASES—DISAPPROVAL, 1 GAME REFUGE LEASE.

COLUMBUS, OHIO, September 17, 1927.

*Department of Agriculture, Division of Fish and Game, Columbus, Ohio.*

GENTLEMEN :—I have your letter of recent date in which you enclose the following Game Refuge Leases, in duplicate, for my approval :

No.	Name	Acres
1054	Thomas Carton, Coshocton County, Tuscarawas Township---	64
1055	Edward E. Scarr, Coshocton County, Tuscarawas Township--	223
1056	A. E. Gilman, Gallia County, Gallipolis Township-----	936.72
1057	Minnie Bodeker, Lorain County, Penfield Township-----	106

I have examined said leases, find them correct as to form, and I am therefore returning the same with my approval endorsed thereon.

I am returning herewith Lease No. 1053, Howard Miller, Tuscarawas Township, Coshocton County, 325 acres, unapproved. You will note that this lease is signed "Howard Miller, by Clifford Miller, his Attorney in Fact."

Section 8536, General Code, provides :

"A power of attorney for the conveyance, mortgage or lease of an estate or interest in real property, must be recorded in the office of the recorder of the county in which such property is situated, previous to the execution of a deed, mortgage, or lease by virtue of such power of attorney."

Evidence should be submitted to this office that such power of attorney was duly recorded as required by this section of the General Code.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*