

and the deed has been properly executed by The Tri County Brick Company, it is believed the deed as submitted, subject to the above additions, will convey a fee simple title to the premises under consideration.

I note you have also submitted a proper incumbrance estimate bearing No. 8077, under date of June 11, 1924, to the effect that there are unincumbered balances legally appropriated sufficient to cover the purchase price of the premises under consideration in the sum of \$35,000.

The abstract, deed and incumbrance estimate submitted by your department are being herewith returned.

Respectfully,  
C. C. CRABBE,  
*Attorney General.*

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1596.

ABSTRACT, STATUS OF TITLE, FOUR TRACTS OF LAND, SITUATE IN  
PIKE COUNTY, OHIO.

COLUMBUS, OHIO, July 1, 1924.

HON. EDMUND SECREST, *State Forester, Ohio Agricultural Experiment Station,  
Wooster, Ohio.*

Dear Sir:—

An examination of an abstract of title and a proposed deed submitted by your department to this office for examination and approval discloses the following:

The abstract under consideration was prepared by B. E. Crabtree and carries with it the certificate of the abstracter dated at Waverly, Ohio, May 23, 1924, and pertains to the following premises:

Real estate situate in the county of Pike, in the State of Ohio, and in the Township of Benton, the first tract being part of Survey 14800 and containing 238 acres and 36 poles more or less; the second tract being part of Surveys 14800 and 14391, containing 50 acres more or less; third tract being part of Survey 15638, containing 68 acres and 2 rods, more or less; the fourth tract being part of Survey 15708, containing 40 acres, more or less. The four tracts together contain 396 acres and 38 poles, more or less.

Upon examination of said abstract, I am of the opinion same shows a good and merchantable title to said premises on the date of the certificate of the abstracter in W. P. O'Brien and B. K. Stanfield, subject to the following:

The taxes for the last half of the year 1923, due and payable in June, 1924, are paid, but the taxes for the year 1924, the amount of which is as yet undetermined, are a lien and unpaid.

I also find some minor discrepancies and deficiencies in the chain of title in the early history of same, but owing to a considerable lapse of time, it is believed same may be disregarded.

Your attention is directed to the proposed deed which you have submitted, together with the abstract, and which it is believed is in proper form except that it is suggested that the consideration clause in the deed should contain the full cash

consideration paid for these premises, instead of the language "one dollar and other valuable consideration". With this change, it is believed the deed as submitted will be sufficient to convey a fee simple title to the State of Ohio when properly delivered.

Attention is also directed to the necessity of the proper certificate of the Director of Finance to the effect that there are unincumbered balances legally appropriated sufficient to cover the purchase price before the purchase of these premises can be consummated. This certificate should be procured and attached to the deed and abstract before same are forwarded to the state auditor.

The abstract, deed and tax receipts submitted by your department are being herewith returned.

Respectfully,  
C. C. CRABBE,  
*Attorney General.*

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1597.

REGULAR ELECTION DEFINED—SECTIONS 4840 AND 4227-2 G. C. CON-  
STRUED.

*SYLLABUS:*

*The "regular election" referred to in Sections 4840 and 4227-2 of the General Code, refers to and means the same thing as the general election held in November in any year.*

COLUMBUS, OHIO, July 2, 1924.

*Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.*

Gentlemen:—

Your recent communication reads:

"Section 4227-1 General Code provides as follows:

'Ordinance and other measures providing for the exercise of any and all powers of government granted by the constitution or now delegated or hereafter delegated to any municipal corporation, by the General Assembly, may be proposed by initiative petition. Such initiative petition must contain the signatures of not less than ten per centum of the electors of such municipal corporation.

'When there shall have been filed with the city auditor, if it be a city, or village clerk, if it be a village, a petition signed by the aforesaid required number of electors proposing an ordinance or other measure, said city auditor or village clerk shall, after ten days, certify the petition to the board of deputy state supervisors of elections of the county wherein such municipality is located. Said board shall submit such proposed ordinance or measure for the approval or rejection of the electors of such municipal corporation at the next succeeding regular or general election, in any year