

2040.

PROBATE COURT—FARM LOAN BONDS ISSUED BY FEDERAL LAND BANKS—NOT “CERTIFICATE OF INDEBTEDNESS OF UNITED STATES.”

Farm loan bonds issued by federal land banks are not “certificates of the indebtedness of the United States” in which executors, administrators, guardians and trustees have an original right to invest funds of their respective estates by virtue of section 11214 G. C.

COLUMBUS, OHIO, May 2, 1921.

HON. WILLIAM H. LUEDERS, *Probate Judge, Cincinnati, Ohio.*

DEAR SIR:—Your letter of recent date calls attention to section 11214 of the General Code, regulating investments which may be made by executors, administrators, guardians and trustees under the supervision of the probate court, and inquiring whether federal farm loan bonds are within the terms of that section in so far as it refers to “certificates of the indebtedness * * * of the United States.”

So much of the section as is material is as follows:

“Sec. 11214. * * * executors, administrators, guardians, and trustees, may invest * * * in certificates of the indebtedness of * * * the United States, or in any other securities as the court having control of the administration of the trust approves. * * *”

This department has had occasion to examine the federal statutes relating to the farm loan bonds issued by the federal land banks, with a view to ascertaining whether or not they are certificates of the indebtedness of the United States, and has come to the conclusion that they are not. (See Opinions of Attorney-General 1918, Vol. I, p. 486). While the issuers of these bonds are instrumentalities of the United States, and the bonds themselves are exempt from certain state and federal taxation, they are not general obligations of the United States government, and therefore do not represent an indebtedness of the United States. It will not be necessary to quote the federal statutes or to repeat the reasoning of former opinions in order to establish this conclusion.

Respectfully,
JOHN G. PRICE,
Attorney-General.

2041.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENTS,
HOLMES AND HANCOCK COUNTIES, OHIO.

COLUMBUS, OHIO, May 3, 1921.

HON. LEON C. HERRICK, *State Highway Commissioner, Columbus, Ohio.*