

conveyed. Finding, as I do, that there was an error in the former deed executed by the hand of the then Governor of Ohio, I am of the opinion that said Norman J. Theiss, as the successor in title of B. Eber Cross who purchased said Lots 29 and 36, is now entitled to a deed to be executed by the Governor conveying these lots to him by proper description, subject, however, to the reservations contained in the original deed. Inasmuch as it does not appear that B. Eber Cross conveyed or attempted to convey said lot 30 in Wolf's Addition to the village of Racine to Katie Theiss, the immediate predecessor in title of Norman J. Theiss, and since, therefore, it does not appear that Norman J. Theiss has or claims to have any color of title to said Lot 30, it will not be necessary in my opinion to take from Norman J. Theiss a quit claim deed or other instrument releasing to the State Lot 30 which was erroneously included in the former deed of the State above referred to.

I am herewith enclosing a deed which I have drafted, which deed will be signed by the Governor and countersigned by the Secretary of State for the purpose of correcting the error in the description of said former deed. As required by Section 8529, General Code, this deed should be recorded in your office before the same is delivered to the grantee therein named.

Respectfully,

HERBERT S. DUFFY,

Attorney General.

1259.

FEDERAL HOUSING ADMINISTRATION DEBENTURES IN
EXCHANGE FOR MORTGAGES—ELIGIBLE TO SECURE
THE DEPOSIT OF PUBLIC FUNDS.

SYLLABUS:

Debentures issued by the Federal Housing Administrator in exchange for mortgages insured under Title 12, Section 1710, U. S. C. A., prior to July 1, 1939, are obligations of the United States, for the payment of the principal and interest of which the faith of the United States is pledged, and accordingly, are eligible to secure the deposit of public funds under the provisions of Section 2296-15a, General Code. Opinion No. 1153

modified in view of amendment of Title 12, Section 1710, U. S. C. A., by Public Resolution No. 6, 75th Congress.

COLUMBUS, OHIO, October 1, 1937.

HON. CLARENCE H. KNISLEY, *Treasurer of State, Columbus, Ohio.*

DEAR SIR: You are referred to Opinion No. 1153, rendered to you by this office, which opinion held that debentures issued by the Federal Housing Administrator in exchange for mortgages insured under Title 12, Section 1710, U. S. C. A., prior to July 1, 1937, are eligible to secure the deposit of public funds under Section 2296-15a, General Code, being one of the sections of the Uniform Depository Act. That opinion was based upon the fact that such debentures are obligations of the United States for the payment of the principal and interest of which the faith of the United States is pledged.

The recent session of the 75th Congress has amended Section 1710, Title 12, U. S. C. A., so that debentures issued by the Federal Housing Administrator in exchange for mortgages insured prior to July 1, 1939, shall be obligations of the United States for the payment of the principal and interest of which the faith of the United States is pledged. See Public Resolution No. 6, 75th Congress.

You are accordingly advised that such debentures issued in exchange for such insured mortgages prior to July 1, 1939, are eligible to secure the deposit of public funds under the provisions of Section 2296-15a, General Code.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

1260.

APPROVAL—NOTES OF TOLEDO CITY SCHOOL DISTRICT,
LUCAS COUNTY, OHIO, \$150,000.00. (Limited).

COLUMBUS, OHIO, October 1, 1937.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.
GENTLEMEN:

RE: Notes of Toledo City School District, Lucas
County, Ohio, \$150,000.00 (Limited).