

this issue was approved by this office in an opinion rendered to your board under date of September 13, 1934, being Opinion No. 3203.

It is accordingly my opinion that these bonds constitute a valid and legal obligation of said city.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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206.

APPROVAL—BONDS OF ALLEN COUNTY, OHIO, \$49,000.00.

COLUMBUS, OHIO, March 4, 1937.

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

RE: Bonds of Allen County, Ohio, \$49,000.00.

The above purchase of bonds appears to be part of an issue of bonds of the above county dated October 1, 1936. The transcript relative to this issue was approved by this office in an opinion rendered to the Industrial Commission of Ohio under date of January 11, 1937, being Opinion No. 6641.

It is accordingly my opinion that these bonds constitute a valid and legal obligation of said county.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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207.

APPROVAL—BONDS OF CITY OF TOLEDO, LUCAS COUNTY,  
OHIO, \$1,000.00.

COLUMBUS, OHIO, March 4, 1937.

*State Employees Retirement Board, Columbus, Ohio.*  
GENTLEMEN :

RE: Bonds of City of Toledo, Lucas County, Ohio, \$1,000.00.

The above purchase of bonds appears to be part of an issue of bonds of the above city dated May 1, 1929. The transcript relative to this issue was approved by this office in an opinion rendered to the State Teachers' Retirement System under date of June 18, 1935, being Opinion No. 4343.

It is accordingly my opinion that these bonds constitute a valid and legal obligation of said city.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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208.

BOND FORM—LOST OR DESTROYED WARRANT APPLICATION FOR DUPLICATE WARRANT.

*SYLLABUS:*

*Form of bond under Section 246, General Code, prescribed.*

COLUMBUS, OHIO, March 4, 1937.

HON. JOSEPH T. FERGUSON, *Auditor of State, Columbus, Ohio.*

DEAR SIR: I am replying to your letter of recent date requesting an opinion of this office, which letter reads as follows:

“Referring to Section 246 of the General Code this department would respectfully ask your opinion relative to the ‘Bond Application’ which is referred to in the above mentioned Section. The particular question involved is the language of the Application and its binding effect.”

You refer to Section 246, General Code, which section reads as follows:

“Whenever it is made to appear to the satisfaction of the auditor of state, by affidavit or otherwise, that any warrant on the state treasury by him issued has been lost or destroyed prior to its presentation for payment, and there is no reasonable probability of its being found or presented, such auditor may issue to the proper person a duplicate of such lost or destroyed warrant, provided that before issuing such duplicate said