

lease as to legality and form as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,
 JOHN W. BRICKER,
Attorney General.

1383.

APPROVAL, BONDS OF SHAKER HEIGHTS CITY SCHOOL DISTRICT,
 CUYAHOGA COUNTY, OHIO—\$175,000.00.

COLUMBUS, OHIO, August 11, 1933.

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

1384.

DEPOSITORY—NOT REQUIRED TO PAY INTEREST ON DEPOSITS OF
 MUNICIPAL UNIVERSITY WHEN—FEDERAL RESERVE BANK
 MAY NOT PAY INTEREST ON SUCH DEPOSITS WHEN—WHEN
 INTEREST PAYABLE UPON MUNICIPAL DEPOSITS.

SYLLABUS:

1. *The board of directors of a municipal university, under a resolution adopted by virtue of section 7909 of the General Code, having assumed control and custody of all university funds, the State law does not require the payment of interest upon a deposit of such funds in a bank, and under section 11 (b) of the Banking Act of 1933 (Glass-Steagall Act) a member bank of the Federal Reserve System cannot pay interest upon such deposit.*

2. *Where payment of interest is required under a depository contract entered into by a municipal corporation pursuant to an ordinance of council, in conformity with the municipal depository statutes (sections 4295, 4296), the payment of interest is required under State law within the meaning of the proviso contained in section 11 (b) of the Banking Act of 1933.*

3. *The fact that section 4295 of the General Code does not prescribe a minimum rate of interest which a depository bank must pay upon municipal deposits, does not prevent that section from being a State law requiring the payment of interest within the meaning of the proviso contained in section 11 (b) of the Banking Act of 1933.*

COLUMBUS, OHIO, August 11, 1933.

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

GENTLEMEN:—You have requested my opinion on the following questions: