

1062.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE WEGE MARBLE AND TILE COMPANY OF COLUMBUS, OHIO, FOR CONSTRUCTION AND COMPLETION OF MARBLE, TERRAZZO AND ORNAMENTAL CONTRACT FOR ADDITION TO MUSEUM AND LIBRARY BUILDING AS MEMORIAL TO SOLDIERS OF WORLD WAR AT COST OF \$27,659.00. SURETY BOND EXECUTED BY THE INDEMNITY COMPANY OF NORTH AMERICA.

COLUMBUS, OHIO, December 31, 1923.

HON. L. A. BOULAY, *Director, Department of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval contract between the State of Ohio, acting by the Department of Highways and Public Works and The Wege Marble and Tile Company of Columbus, Ohio. This contract covers the construction and completion of marble, terrazzo and ornamental contract (items 5, 16 and part of 10 of the specifications) for an addition to museum and library building as a memorial to soldiers of the World War and calls for an expenditure of \$27,659.00.

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. There has further been submitted a contract bond upon which the Indemnity Company of North America appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workmen's compensation have been complied with.

Finding said contract and bond in proper legal form I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,

C. C. CRABBE,  
*Attorney-General.*

1063.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE HUFFMAN-WOLFE COMPANY OF COLUMBUS, OHIO, FOR CONSTRUCTION AND COMPLETION OF HEATING AND PLUMBING CONTRACT FOR ADDITION TO MUSEUM AND LIBRARY BUILDING AS MEMORIAL TO SOLDIERS OF WORLD WAR AT COST OF \$24,833.00. SURETY BOND EXECUTED BY THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

COLUMBUS, OHIO, December 31, 1923.

HON. L. A. BOULAY, *Director, Department of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval contract between the State of Ohio, acting by the Department of Highways and Public Works and The Huffman-Wolfe Company, of Columbus, Ohio. This contract covers the construction and completion of heating and plumbing contract (Item 18 of the specifications) for the addition to the Museum and Library Building as a memorial to Soldiers of the World War and calls for an expenditure of \$24,833.00.

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. There has further been submitted a contract bond upon which the Fidelity and Deposit Company of Maryland appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workem'n's compensation have been complied with.

Finding said contract and bond in proper legal form I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

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

1064.

FOREIGN TRUST COMPANY—MUST COMPLY WITH SECTION 710-154 G.  
C. BEFORE ENGAGING IN ACTIVITIES THEREIN NAMED.

SYLLABUS—

*A foreign trust company must in order to procure the license to do business in Ohio, provided for in Sections 710-17 and 710-150 to 710-154 General Code, comply with the provisions of Sections 178, et seq., and 183, et seq., even though it may have been admitted to do business in Ohio prior to the amendment of said Sections 710-17 and 710-150 to 710-154 in 108 O. L., 80.*

*(Opinion of July 28, 1919, Vol. 1, p. 895, Opinions of the Attorney-General, 1919, modified.)*

COLUMBUS, OHIO, December 31, 1923.

HON. H. E. SCOTT, *Superintendent of Banks, Columbus, Ohio.*

DEAR SIR:—You have asked the opinion of this office upon a matter which, as disclosed by correspondence and through personal conference, may be stated as follows:

A certain corporation organized under the laws of Michigan for the purpose of doing a trust business, was admitted to do business in Ohio prior to the taking effect of the revision of the banking laws by an act passed April 4, 1919, and found in 108 Ohio Laws, Part 1, Page 80, designated House Bill 200. The past transactions of the corporation concerning property in Ohio consist in its having become trustee under some vessel mortgages, and possibly one real estate mortgage; and, according to the statement of its counsel, it does not "plan to increase its field in Ohio." The corporation takes the position that it is not required to comply with Sections 178 General Code, et seq., and 183 General Code, et seq., in order to procure an annual renewal of a license permitting it to carry on in this state activities of the limited character above noted; and in support of its position, it refers to an opinion of this office (No. 527), dated July 28, 1919, Opinions of the Attorney General, 1919, Vol. 1, p. 895, and lays stress on the third conclusion therein. Your attitude is that compliance with the two groups of statutes is necessary; that the earlier opinion of this office was not primarily concerned with the administration of the banking laws, and that (quoting from your letter):