

behalf of The Board of Control, Ohio Agricultural Experiment Station, and Harry I. Derr, Wooster, Ohio. This contract covers the construction and completion of plumbing, heating and ventilating contract for Agronomy Building, Ohio Agricultural Experiment Station, Wooster, Ohio, and calls for an expenditure of six thousand three hundred and eighty-five dollars (\$6,385.00).

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 Aetna Casualty and Surety Company 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,
EDWARD C. TURNER,
Attorney General.

672.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND NOLZE AND NORTON, COLUMBUS, OHIO, TO CONSTRUCT AGRONOMY BUILDING, OHIO AGRICULTURAL EXPERIMENT STATION, WOOSTER, OHIO, AT AN EXPENDITURE OF \$19,745.00—SURETY BOND EXECUTED BY THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

COLUMBUS, OHIO, June 28, 1927.

HON. GEORGE F. SCHLESINGER, *Director of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Highways and Public Works, for and on behalf of the Ohio Agricultural Experiment Station, and Nolze & Norton, Columbus, Ohio. This contract covers the construction and completion of general contract for Agronomy Building, (exclusive of work and material executed or furnished by the state, lath and plaster, insulation, plumbing, heating and electrical work) Ohio Agricultural Experiment Station, Wooster, Ohio, and calls for an expenditure of nineteen thousand seven hundred and forty-five dollars (\$19,745.00).

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 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,
EDWARD C. TURNER,
Attorney General.

673.

BOARD OF EDUCATION—WHEN DEPOSITORY OUTSIDE THE STATE
MAY BE SELECTED—DISCUSSION OF SCHOOL BOARD DEPOSITORIES.

SYLLABUS:

1. *A board of education in a school district containing two or more banks has no authority to select as its depository bank a bank located outside the state of Ohio unless after advertising for bids for the carrying of depository accounts the board should determine that there has been collusion between the bidders, in which event it may reject any and all bids and arrange for the deposit of its funds in a bank or banks that are conveniently located without the district either within or without the state. Such bank so selected must conform to the provisions of law with reference to the payment of interest and the furnishing of proper security.*

2. *A board of education in a school district containing less than two banks is empowered to enter into a contract for the deposit of its funds with one or more banks located either within or without the state of Ohio. Such bank must have been determined by said board of education to be conveniently located, and must upon competitive bidding offer the highest rate of interest of any of the banks entering into such competition. Such interest shall not in any case be less than 2% for the full time the funds or any part thereof are on deposit, and such bank must furnish proper security as provided by law.*

COLUMBUS, OHIO, June 29, 1927.

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

GENTLEMEN:—You have requested my opinion with reference to the following:

“You are respectfully requested to furnish this department with your written opinion upon the following matter:

Question 1. May a board of education of a school district containing two or more banks legally designate a bank located outside of the state as depository of the funds of the district,

Question 2: May a board of education of a school district containing no bank or but one bank designate a bank located outside of the state if conveniently located, as depository of the school funds of the district?”

Section 7604, General Code, provides in part as follows:

“That within thirty days after the first Monday in January, 1916, and every two years thereafter, the board of education of any school district,