

such hospital, its style, dimensions, expense and location. Whether the keeping of a person suffering from pulmonary tuberculosis in a building immediately adjacent to a County Home is contrary to sound principles of public health, is a question of fact which must be determined by the County Commissioners and the State Board of Health under the discretion granted them by statute, to provide adequate facilities for persons afflicted with pulmonary tuberculosis, and to protect the inmates of the County Home from exposure or contact with persons so afflicted.

As a matter of law, after having reviewed all the statutes pertaining to the authority of County Commissioners to erect a Tuberculosis Hospital, I am of the opinion, in specific answer to your question, that there is no statutory provision preventing the keeping of a person afflicted with pulmonary tuberculosis in a building constructed on property which is immediately adjacent to that of a County Home. The approval of plans for the construction of a County Tuberculosis Hospital on such property is a matter within the discretion of the State Department of Health.

Respectfully,  
 JOHN W. BRICKER,  
*Attorney General.*

3626.

APPROVAL—ARTICLES OF INCORPORATION OF THE NORTHWESTERN OHIO MUTUAL PROTECTIVE ASSESSMENT INSURANCE ASSOCIATION.

COLUMBUS, OHIO, December 15, 1934.

HON. GEORGE S. MYERS, *Secretary of State, Columbus, Ohio.*

Re: The Northwestern Ohio Mutual Protective Assessment Insurance Association.

DEAR SIR:—I have examined the Articles of Incorporation of The Northwestern Ohio Mutual Protective Assessment Insurance Association of Wapakoneta, Ohio, which you have submitted to me for my approval, and finding the same not to be inconsistent with the Constitution and laws of the United States or of the State of Ohio, I am herewith returning said Articles with my approval endorsed thereon.

Respectfully,  
 JOHN W. BRICKER,  
*Attorney General.*