

and 3298-55, they did not serve to limit, in my opinion, the authority granted in said Sections 3298-54 and 3298-55 to the providing of means of protection against fires in cases only when there existed in the township a volunteer fire department.

The language of the first clause of Section 3298-54, General Code, is a distinct grant of authority and is independent of the succeeding provisions of the statute as is also the first clause of Section 3298-55. It cannot be presumed that the Legislature in delegating authority to statutory boards and similar governmental agencies delegates in express language and in minute detail each and every act which it is necessary for the board to do in order to accomplish the ends which the authority in general terms seeks to accomplish. The delegation of a power to accomplish a certain end, necessarily carries with it the power to do all things necessary to consummate that purpose. Such boards have some discretion which the courts will respect. The Legislature has in general terms authorized township trustees to establish all necessary regulations to guard against the occurrence of fires, protect the property and the lives of citizens against damages and accidents resulting therefrom and to levy in any year or years a sufficient tax upon all the taxable property in the township to provide protection against fire, and has not limited the manner in which the trustees are to provide this protection. It therefore must be conceded that the Legislature has reposed in the trustees the discretion of accomplishing the end desired, and it is my opinion that in so doing a board of township trustees may lawfully, if it does not abuse its discretion in so doing, provide for the protection of the property and lives of the citizens of the township against damages and accidents resulting from fires by contracting with a neighboring municipality, which maintains a fire department, for the use of such fire department in putting out fires within the township. Having that discretion, the trustees may contract for the use of the fire department by the month or by the year, or by paying for the use of the department for each fire as it occurs.

I am therefore of the opinion, in specific answer to your question, that the trustees of Hicksville Township do have authority to enter into an agreement with the village authorities of the village of Hicksville whereby said village of Hicksville will furnish fire protection to Hicksville Township at an agreed price per year or per month, or by paying for the use of the village fire department, for each fire as it occurs, from township funds.

Respectfully,
EDWARD C. TURNER,
Attorney General.

2956.

APPROVAL, FINAL RESOLUTIONS ON ROAD IMPROVEMENTS IN
TUSCARAWAS COUNTY.

COLUMBUS, OHIO, November 30, 1928.

HON. HARRY J. KIRK, *Director of Highways, Columbus, Ohio.*