

of the board of trustees of Bowling Green State Normal School, and Leo Herman, of Bowling Green, Ohio. This contract covers the construction and completion of general contract for rebuilding 242' old tunnel (rebuilding 253' old tunnel), including electrical work and excluding piping, Bowling Green State Normal School, Bowling Green, Ohio, and calls for an expenditure of six thousand, three hundred and twenty and 50/100 dollars (\$6,320.50).

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 National 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.

183.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO THROUGH DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS WITH THE CLAGUE AND STROHL COMPANY, BOWLING GREEN, FOR PIPING CONTRACT, REBUILDING 242' OLD TUNNEL, BOWLING GREEN STATE NORMAL SCHOOL, BOWLING GREEN, OHIO—SURETY BOND EXECUTED BY THE AMERICAN SURETY COMPANY.

COLUMBUS, OHIO, March 14, 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 board of trustees of Bowling Green State Normal School, and The Clague and Strohl Company, of Bowling Green, Ohio. This contract covers the construction and completion of piping contract for rebuilding 242' old tunnel (rebuilding 252' old tunnel), Bowling Green State Normal School, Bowling Green, Ohio, and calls for an expenditure of four thousand, eight hundred seventy-two dollars (\$4,872.00).

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 American 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. Proofs of publication and estimate of cost have been furnished and are on file with the contract between Leo Herman and the State of Ohio covering the same subject matter, dated the 14th day of February, 1927. Also it ap-

pears 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.

184.

COUNTY COMMISSIONERS—AUTHORITY TO CARE FOR INDIGENT
SICK AND DISABLED.

SYLLABUS:

A board of county commissioners may enter into an agreement for the care of the indigent sick and disabled within the county, other than persons afflicted with pulmonary tuberculosis, with one or more corporations or associations organized for the purpose of maintaining and operating a non-sectarian hospital, whether such hospital be located within or without the county for which the county commissioners are acting.

COLUMBUS, OHIO, March 14, 1927.

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

GENTLEMEN:—I am in receipt of your letter of recent date in which you request my opinion in answer to the following question:

“Under Section 3138-1 G. C., may the commissioners of a county contract with the authorities of a hospital located outside of the county for the care of indigent sick and disabled?”

Section 3138-1 of the General Code reads as follows:

“That the board of county commissioners of any county may enter an agreement with one or more corporations or associations organized for charitable purposes, or with one or more corporations or associations organized for the purpose of maintaining and operating a hospital in any county where such hospital has been established, for the care of the indigent sick and disabled, excepting persons afflicted with pulmonary tuberculosis, upon such terms and conditions as may be agreed upon between said commissioners, and such corporations or associations, and said commissioners shall provide for the payment of the amount agreed upon, either in one payment, or installments, or so much from year to year, as the parties stipulate. Nothing herein shall authorize the payment of public funds to a sectarian institution. County commissioners shall have authority to employ the necessary and properly qualified employes to assist them in carrying out all responsibilities devolving upon them by reason of any agreement, or agreements, entered into in accordance with the provisions of this section.”

This section was passed in 1921, amending a former Section 3138-1, which had been passed in 1919. The only change made in the statute at the time of its amend-