

1211.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE W. H. SPOHN PLUMBING COMPANY, OF COLUMBUS, OHIO, FOR PLUMBING WORK IN SWINE BUILDING AND WEST ANNEX, OHIO STATE FAIR GROUNDS, AT COST OF \$3,555.00—SURETY BOND EXECUTED BY THE MARYLAND CASUALTY COMPANY.

COLUMBUS, OHIO, February 21, 1924.

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 W. H. Spohn Plumbing Co., of Columbus, Ohio. This contract covers the plumbing work in swine building and west annex, Ohio State Fair Grounds, and calls for an expenditure of \$3,555.00.

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 Maryland Casualty 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, informal bids were taken and 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.*

1212.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE SCHIRMER-O'HARA COMPANY OF CLEVELAND, OHIO, FOR CONSTRUCTION AND COMPLETION OF CATTLE BUILDING, OHIO STATE FAIR GROUNDS, AT COST OF \$139,282.00—SURETY BOND EXECUTED BY THE INDEPENDENCE INDEMNITY COMPANY.

COLUMBUS, OHIO, February 21, 1924.

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 Schirmer-O'Hara Company of Cleveland, Ohio. This contract covers the construction and completion of Cattle Building, Ohio State Fair Grounds and calls for an expenditure of \$139,282.00.

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 Independence Indemnity 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,  
C. C. CRABBE,  
*Attorney General.*

1213.

TAX LEVY—"ALL TAXABLE PROPERTY OF A TOWNSHIP," CON-  
STRUED—PURCHASE OF FIRE APPARATUS.

*SYLLABUS:*

1. *A levy of a tax "on all the taxable property of a township" includes the property of a village within such township unless the property of the village is expressly excepted by statute from such levy.*
2. *Under section 3298-54 G. C. before the township trustees purchase fire apparatus and appliances there must exist a volunteer fire company having such character as to give assurance of permanency and efficiency.*
3. *Joint action by the township trustees and a council of a village within the township to purchase fire apparatus and to use and maintain the same is not authorized by statute.*

COLUMBUS, OHIO, February 21, 1924.

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

GENTLEMEN:—You have requested the opinion of this department on the following questions:

"Question 1. May the trustees of a township in which an incorporated village is located levy a tax upon all of the property of the township, including that in the incorporated village, for the purpose of fire protection for the territory located outside of the village, when the village has provided its own fire protection?"

Question 2. May the trustees of a township enter into an agreement with the council of a village to pay a lump sum plus the wages of the firemen and cost of chemicals used, for each fire, and also to furnish \$600.00 worth of hose to be used in conjunction with other hose belonging to the village?"

Question 3. May the trustees of a township purchase and install a pumper and mechanical engine in the fire station now used by the village so that there will be fire protection for both the village and the territory outside of the village in the township?"