

water supply, shall mean any or all of the following: Wells, springs, streams or other source of water supply, pumping equipment, treatment or purification plants, distributing mains, cisterns, reservoirs, necessary equipment for fire protection, other equipment, and lands, rights-of-way and easements, necessary for the proper development and distribution of the supply. * * *

In view of the foregoing, namely, that the township trustees have only such powers as are expressly granted to them by statute, or such as are necessary to carry into effect the powers expressly granted, and since no expenditures may be made from the township treasury except when authorized by law, and since investigation discloses no authority, either express or implied, conferred upon a board of township trustees to install a reservoir and water lines for fire protection, and taking into consideration the fact that provision is made elsewhere for the furnishing of such fire protection by the county commissioners, I am of the opinion that a board of township trustees may not install a reservoir and water lines for providing a supply of water for fire fighting purposes.

Respectfully,

GILBERT BETTMAN,
Attorney General.

3855.

APPROVAL, BONDS OF CLARK COUNTY, OHIO—\$9,946.33.

COLUMBUS, OHIO, December 15, 1931.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

3856.

PROBATE COURT—DIVORCE ACTIONS PENDING IN SUCH COURT
NOT AFFECTED BY REPEAL OF SECTION 10494, GENERAL
CODE.

SYLLABUS:

Where divorce actions are pending in Probate Courts by reason of the jurisdiction conferred on such courts under Section 10494, General Code, prior to January 1, 1932, the date upon which the repeal of said section becomes effective, such jurisdiction continues by reason of the provisions of Section 26, General Code.

COLUMBUS, OHIO, December 15, 1931.

HON. NORMAN L. McLEAN, *Prosecuting Attorney, Washington C. H., Ohio.*

DEAR SIR:—Acknowledgment is made of your recent communication, which reads as follows:

“The Probate Judge of Fayette County has requested me to procure from you an opinion upon the following question:

Section 10494 of the General Code of Ohio gives the Probate