

"In an opinion by Hon. Edward C. Turner, at page 1293 of the opinions of the attorney general for 1916, he had under consideration the authority of a city and a township to unite in the erection of a city hall and township house. His conclusion is:

" 'A city as well as a township has only limited power and each must act within the limits of its powers as prescribed by statute. I find no provision of the statute authorizing a city and township to join in the erection of a city hall and township house, and I am of the opinion therefore, that your question must be answered in the negative.'

"The rule is well established in Ohio that municipal corporations have only such powers as are expressly granted, and such as may be implied to carry out the powers expressly granted."

Ravenna vs. Pennsylvania, 45 O. S., 118.

"There is no express provision of statute granting authority to two cities to jointly erect and maintain a pest house or quarantine hospital, and such authority is not implied from the grant to one municipality to erect and maintain such pest house or hospital."

It will be noted that in this opinion attention is directed to the opinion of the Attorney General for 1916, Vol. 2, p. 1293, in which it was held that a city and township have no authority to unite for the erection of a city hall and township house. The establishment of a hospital for communicable diseases is along the same lines as the projects considered by the above opinions. As township trustees have only limited power, they may do only the things provided by statute.

It is therefore my opinion that a municipality and a township may not unite in the construction and operation of a hospital for communicable diseases.

Respectfully,

C. C. CRABBE,

Attorney General.

2438.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE NEWTON BAXTER COMPANY, OF TOLEDO, OHIO, FOR CONSTRUCTION AND COMPLETION OF ELECTRIC WIRING IN ANNEX TO COTTAGE "N," TOLEDO STATE HOSPITAL, TOLEDO, OHIO, AT COST OF \$277.00. SURETY BOND EXECUTED BY THE METROPOLITAN CASUALTY INSURANCE COMPANY OF NEW YORK.

COLUMBUS, OHIO, May 5, 1925.

HON. L. A. BOULAY, *Director, Department 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, and The Newton Baxter Company, of Toledo, Ohio. This contract covers the construction and completion of electric wiring in annex to Cottage "N," Toledo State Hospital, Toledo, Ohio, and calls for an expenditure of \$277.00.

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 Metropolitan Casualty Insurance Company of New York 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.

2439.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE NEWTON BAXTER COMPANY, OF TOLEDO, OHIO, FOR CONSTRUCTION AND COMPLETION OF ELECTRIC WIRING IN ANNEX TO COTTAGE 11, TOLEDO STATE HOSPITAL, TOLEDO, OHIO, AT COST OF \$244.00. SURETY BOND EXECUTED BY THE METROPOLITAN CASUALTY INSURANCE COMPANY OF NEW YORK.

COLUMBUS, OHIO, May 5, 1925.

HON. L. A. BOULAY, *Director, Department 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, and The Newton Baxter Company, of Toledo, Ohio. This contract covers the construction and completion of electric wiring in annex to cottage 11, Toledo state hospital, Toledo, Ohio, and calls for an expenditure of \$244.00.

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 Metropolitan Casualty Insurance Company of New York 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.