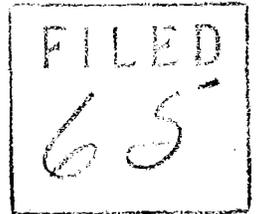


DIVISION OF MENTAL DISEASES: Under appropriation of \$100,000.00
POSTWAR FUND: for storeroom and \$15,000.00 for
bakery, contract may be let in the
amount of \$115,000.00 for con-
structing both as a unit.

October 22, 1947



Dr. Orr Mullinax, Director
Division of Mental Diseases
Dept. of Public Health and Welfare
Jefferson City, Missouri

Dear Sir:

This is in answer to your request for an opinion as to whether under the provisions of House Bill No. 283, Section 3, 64th General Assembly, the bakery and storeroom may be built as one building, and part of the building be used as a storeroom and the remainder as a bakery.

The following pertinent items appear in House Bill No. 283, Section 3, B. ADDITIONS: "For constructing a storeroom to house all commodities, \$100,000.00 * * * For constructing and equipping a bakery, \$15,000.00 * * *."

A storeroom is ordinarily a room in a building set apart and having conveniences especially adapted for the storage and conservation of materials. The word, "storeroom," being defined by Webster as a room in a storehouse or repository; a room in which articles are stored. In distinction to the definition by Webster that the word "storehouse" is defined as a building for keeping goods of any kind and not a storeroom.

5 Words and Phrases, page 76, defines bakery as follows:

"A 'bakery' is any place used for the purpose of mixing, compounding, or baking for sale or for purposes of a restaurant, bakery or hotel, any bread, biscuit, pretzels, crackers, buns, rolls, macaroni, cake, pies, or any food products of which flour or meal is a principal ingredient. Continental Baking Co. v. Campbell, 55 P. 2d 114, 116, 176 Okl. 218."

Therefore, we see from the definitions of storeroom and bakery above that they are not necessarily in terminology to require separate buildings.

Dr. Orr Mullinax

-2-

CONCLUSION

Therefore, in our opinion, a contract may be let in the amount of \$115,000.00 for constructing a storeroom to house all commodities and to construct and equip a bakery under the provisions of House Bill No. 283, supra, as long as the contract includes the construction of a storeroom to house all commodities and the construction and equipment of a bakery.

Respectfully submitted,

ARVID OWSLEY
Assistant Attorney General

APPROVED:

J. E. TAYLOR
Attorney General

AO:LR