

It should be kept in mind that the publications which need not be made are those provided for in the act, and only when they have been waived by the owners of all the lots and lands; that the publications which shall be waived by the owners of all the lots and lands are all resolutions and legal notices provided for in the act. It should also be kept in mind that all that shall be waived in connection with the receiving of bids and the letting of the contract is the advertising for sealed proposals; that it is within the judgment of each owner whether or not he execute this waiver, and if all the owners waive the publication it is within the discretion of the county commissioners to dispense with the advertising for sealed proposals, the provision of the statute being merely "that none of the publications herein provided for *need* be made," etc.

The provision of the statute relating to the contract for the improvement is, "the county commissioners shall enter into a written contract with the lowest and best bidder * * * after advertising for sealed proposals * * *. The bids shall be opened," etc.

Under the provisions hereinbefore noted there is nothing in connection with the receiving of bids and the awarding of and entering into the contract which may be waived or dispensed with other than the advertising for sealed proposals. The legislators, in providing for this somewhat unusual procedure in connection with awarding of contracts, no doubt had in mind the known fact that available contractors were usually known to the county commissioners and other officers and appointees, and considered that notification by other means than advertising, together with the interest of the owners therein and their assistance, would be sufficient to bring about the entering into of the contract at a suitable price. Whatever may have been the thought and reason of the legislators, it nevertheless remains that the purpose and intent of the legislature is clearly shown by plain words.

It follows from the foregoing discussion that both of your inquires should be answered in the affirmative.

Yours respectfully,

C. C. CRABBE,

Attorney General.

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APPROVAL—BONDS OF QUINCY CONSOLIDATED VILLAGE SCHOOL DISTRICT, LOGAN COUNTY, \$15,000.00, TO IMPROVE CERTAIN SCHOOL BUILDINGS.

COLUMBUS, OHIO, May 10, 1923.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.