

532.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE SUPERIOR ELECTRIC ENGINEERING COMPANY, COLUMBUS, OHIO, FOR ELECTRICAL WORK AT T. B. WARD AT HOSPITAL, GIRLS' INDUSTRIAL SCHOOL, DELAWARE, OHIO, AT AN EXPENDITURE OF \$348.00—SURETY BOND EXECUTED BY THE MASSACHUSETTS BONDING & INSURANCE COMPANY.

COLUMBUS, OHIO, June 17, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Superintendent of Public Works, for and on behalf of the Department of Public Welfare, and The Superior Electric Engineering Company, of Columbus, Ohio. This contract covers the construction and completion of electrical contract for T. B. Ward at hospital, Girls' Industrial School Delaware, Ohio, and calls for an expenditure of three hundred and forty-eight dollars (\$348.00).

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 also been submitted a contract bond upon which the Massachusetts Bonding & Insurance 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 Act have been complied with.

In this connection, it will be noted that the award was made prior to January 1, 1929, and that the original appropriation lapsed before such contract was approved by the Attorney General. However, it will be further noted that the 88th General Assembly, in Amended House Bill No. 203, reappropriated such funds and authorized the expenditure of money for such purposes with the consent and approval of the Controlling Board, which has been obtained.

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,

GILBERT BETTMAN,

Attorney General.

533.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE LAYNE-OHIO COMPANY, COLUMBUS, OHIO, FOR CONSTRUCTION OF WATER WELLS, WILBERFORCE UNIVERSITY, WILBERFORCE, OHIO, AT AN EXPENDITURE OF \$2,882.20—SURETY BOND EXECUTED BY THE AMERICAN SURETY COMPANY OF NEW YORK.

COLUMBUS, OHIO, June 17, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of

Ohio, acting by the Superintendent of Public Works, for and on behalf of the Board of Trustees, C. N. & I. Department, Wilberforce University, and The Layne-Ohio Company, of Columbus, Ohio. This contract covers the construction and completion of general contract for water wells, C. N. & I. Department, Wilberforce University, Wilberforce, Ohio, and calls for an expenditure of two thousand, eight hundred and eighty-two and 20/100 dollars (\$2,882.20).

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 also been submitted a contract bond upon which the American Surety Company of New York appears as surety.

Inasmuch as the contract price is less than the sum of three thousand dollars, the advertisement for competitive bids has been dispensed with. Evidence has been submitted indicating that the contract was awarded to the lowest bidder, and that the laws relating to the status of surety companies and the Workmen's Compensation Act have been complied with.

In this connection, it will be noted that the award was made prior to January 1, 1929, and that the original appropriation lapsed before such contract was approved by the Attorney General. However, it will be further noted that the 88th General Assembly, reappropriated such funds and authorized the expenditure of money for such purposes with the consent and approval of the Controlling Board, which has been obtained.

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,

GILBERT BETTMAN,
Attorney General.

534.

BOARD OF EDUCATION—WITHIN VILLAGE AND RURAL SCHOOL DISTRICTS—DUTY TO PROVIDE SCHOOLING FOR CHILDREN IN ANY ONE OF SEVERAL WAYS—OBLIGATION OF COUNTY BOARDS RESPECTING SUCH DUTY.

SYLLABUS:

It is the duty of a board of education, in a rural or village school district, to provide all necessary school privileges for the youths of school age who are children, wards or apprentices of actual residents of the district. When the determination of the manner of providing such school privileges involves the choice of one of several means of doing so, and the local board fails to exercise its discretion in the premises, and fails to select one of the alternative methods, and thus fails to furnish necessary school privileges for the youths of the district, according to law, it is the duty of the county board of education of the county school district of which the local district is a part, in accordance with Section 7610-1, General Code, to exercise the discretion which the local board should have exercised and thereafter to provide the necessary school privileges in the manner so determined upon, unless the local board chooses to act in accordance with the determination of the county board.