Board of Trustees Meeting Minutes 1919-11-17

Bowling Green State University

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of said contract; we agreeing and assenting that this undertaking shall be for the benefit of any sub-contractor, material man or laborer having a just claim, as well as for the obligee herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

The said surety hereby stipulates and agrees that no modifications, omissions or additions in or to the terms of said contract or in or to the plans or specifications therefor shall in any wise affect the obligation of said surety on this bond.

SIGNED AND SEALED this 31st day of October, A. D. 1919.

The Bryce Heating & Ventilating Co.

By J. F. Bryce

SOUTHERN SURETY COMPANY

By Bert Best

Attorney-in-Fact.

NOTE: The amount of this Bond must be at least the total sum of the bid.

Upon motion the Board adjourned to meet at the call of the President.

ATTORNEY-GENERAL

Secretary

President.

Bowling Green, Ohio, November 17, 1919

Meeting of the Board of Trustees was called to order by Vice President Ganz, and Mr. Shatzel was elected Secretary pro tem. Roll call—present, Brown, Ganz, Shatzel; absent, President Collins and Secretary Reynolds. President Williams was also present.

President Williams reported that on November 11th, Mr. L.S. Crawford, a contractor of Toledo, appeared on the premises of the Training School building representing that he had purchased from the Steinle Construction Co. certain tools and building appliances, and with his helper he began to dismantle the electric hoist and concrete mixer. Being advised that these articles had been taken over by the Board of Trustees, he withdrew, but appeared again on the 13th and again on the 14th, stating that he had communicated with Mr. Steinle and expected to proceed. President Williams stated that when Mr. Crawford first appeared on the 11th of November, he immediately notified the Attorney-General's department, and he was again in communication with said department on the 13th and 14th, and he was advised first to try to persuade Mr. Crawford to leave the premises and later on to threaten prosecution. President Williams further stated that on November 14th he handed Mr. Crawford the following written notice, and thereupon the said Crawford left the premises:

11-14-19

L. S. Crawford
1319 Huron Street
Toledo, Ohio

Dear Sir:

I find that you and helper are unlawfully trespassing upon the grounds of the Bowling Green Normal College and I hereby demand that you leave said premises immediately and take with you your tools and helper, or it will be necessary for me to prosecute you for trespassing upon the aforesaid premises.

Very truly yours,

H. B. Williams
President

President Williams presented the following communication from the Attorney-General which was ordered spread upon the minutes:

STATE OF OHIO
OFFICE OF THE ATTORNEY GENERAL
COLUMBUS

John G. Price
Attorney General

November 15, 1919.
The Board of Trustees, 
Bowling Green State Normal College, and
Hon. H. B. Williams, 
President of said College.

Gentlemen:

You have informed me that upon the termination by your board of the employment of The Steinle Construction Company, contractors for the erection and completion of the training school building at your institution, your board entered upon the premises and took possession of all tools, materials and appliances thereon, for the purpose of completing said work.

You have further informed me that persons representing, or claiming to represent, said contractors, have recently appeared on the premises of the training school building, attempting to remove said tools, materials and appliances, against the consent of your board. You therefore request my advice as to what steps you may take to protect your possession of this property.

You have been heretofore advised by this department that Art. 5 of your contract with The Steinle Construction Company justifies your action in taking possession of the property in question for the purpose of completing the work.

Attention is called to section 12522, General Code, which says:

"Whoever, being about to enter unlawfully upon the lands or premises of another, is forbidden so to do by the owner or occupant, his agent or servant, or, being unlawfully upon the lands or premises of another, is notified to depart therefrom by the owner or occupant, his agent or servant, and thereafter enters upon such lands or premises, or neglects or refuses to depart therefrom, shall be fined not less than one dollar nor more than five dollars."

I see no reason why you should not avail yourself of the provisions of this section, and cause the arrest of any person who offends its provisions in connection with any attempt to deprive your board of the possession of said tools, materials and appliances.

If it should become necessary for you to institute proceedings under this section, it is suggested that you consult the prosecuting attorney of Wood county in that matter.

Very respectfully,

John G. Price
Attorney General

On motion of Shatzel, seconded by Brown, the following resolutions were adopted: Ayes, Brown, Ganz, Shatzel; Nays, none:

RESOLUTIONS

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WHEREAS, The Board of Trustees of the Bowling Green State Normal College has heretofore determined to, and did, terminate the employment of The Steinle Construction Company relative to the training school building at said normal college; and

WHEREAS, said board has heretofore determined to, and did, enter upon the premises and take possession of all tools, materials and appliances thereon, for the purpose of completing said work; and

WHEREAS, divers persons have made attempts to remove said tools, materials and appliances from the premises of said training school building and from the possession of said board, against the consent and contrary to the wishes of said board in that regard;

NOW, THEREFORE, BE IT RESOLVED, that this board authorize and empower Mr. H. B. Williams, President of said Bowling Green State Normal College to take possession and assume full control, on behalf of this board, of said tools, materials and appliances, and to take all steps, including the institution of criminal prosecutions, which are necessary or appropriate to protect this board in possession of said tools, materials and appliances, until the purpose of such possession shall have been accomplished.

On motion of Brown, seconded by Shatzel, the Board adjourned to meet at the call of the President.

ATTEST: F. C. Raynor Secretary  
President.