

debtedness incurred by the board of education of said village school district, and the board of education of said rural school district will have no authority in law to assume said indebtedness or to levy a tax to provide a fund for the payment thereof either upon the property within the limits of said village school district or upon the general duplicate of said rural school district.

If the levy for the payment of said indebtedness has not been made by said board of education of said village school district at the time of dissolution, said village school district as a separate taxing district, and its board of education as its taxing authority, must continue for the purpose only of levying a tax for the payment of such indebtedness until such time as said indebtedness will have been paid."

To the same effect are opinions found in the reported Opinions of the Attorney General for 1915, at pages 1053 and 1069; for 1917, at page 484. In this latter opinion it is held:

"By reason of the provisions of this Section (Section 4689) which applies the provisions of Section 3514, General Code, to the school districts which have been dissolved in the manner provided by law, it is held that where a school district is dissolved under Section 4682-1, General Code, the board of education of such school district retains its identity for the purpose of collecting moneys due said dissolved school district and for the purpose of paying the debts thereof."

In specific answer to your questions therefore, I am of the opinion:

1. Upon the dissolution of a village school district containing a population of less than fifteen hundred and its union with a contiguous rural school district in pursuance of Section 4682-1, General Code, there is no right of remonstrance in the rural school district or an inhabitant thereof, and there is no way for the rural school district or its inhabitants to prevent the operation of the statute according to its terms.

2. Whether or not a village school district which seeks to dissolve and join with a contiguous school district in pursuance of Section 4682-1, General Code, contains a population of less than fifteen hundred, is a question of fact, to be determined by the interested authorities in any manner satisfactory to them.

3. Where a village school district is dissolved and joined to a contiguous rural school district in pursuance of Section 4682-1, General Code, the rural school district to which the village district is joined does not assume any portion of the bonded indebtedness of the village district so joined.

Respectfully,
GILBERT BETTMAN,
Attorney General.

4816.

APPROVAL, BONDS OF HUDSON TOWNSHIP RURAL SCHOOL DISTRICT, SUMMIT COUNTY, OHIO—\$4,400.00.

COLUMBUS, OHIO, December 15, 1932.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.