

statute or act as a whole, giving effect to each and every part of the statute or act, and to the language of the different parts of the act, by reconciling each part with every other part, if at all possible.

There may be instances of suspension of schools and assignment of the pupils thereof to other schools where no school building is about to be, or need be erected, where the school facilities so far as buildings are concerned, are ample to house all pupils of the suspended district without erecting a new building. There also may be instances where, even though a new building is to be erected to house the pupils of the suspended district, ample funds are provided therefor before the school is suspended, so that the materials in the school building of the suspended school will not be needed for the consolidated school or other building which is to be erected. Under those circumstances, clearly, the portion of the proviso referred to would have no application, and to that extent the terms of the proviso may be reconciled with the principle of protecting the rights of the petitioners mentioned in Section 7730, General Code, by holding the school property of suspended schools for four years before disposing of it.

The language of the statute is clear, however, and admits of but one construction in cases where the material of a school house, discontinued by reason of the school having been suspended by authority of Section 7730, General Code, is needed in the erection of a consolidated school or other school building. In such cases the schoolhouse so discontinued may be torn down and the material used in the erection of the new school building, or sold and the money applied upon the payment of the new building, for other permanent improvements or repairs, or be paid into the sinking fund, and in such cases, inasmuch as the building is torn down, and no suitable building longer exists for the re-establishment of the school, the rights of the petitioners mentioned in Section 7730, General Code, are cut off and there is no necessity for the holding of the school lot for a period of four years, thus permitting the board to dispose of the school lot within the four-year period.

I am therefore impelled to the conclusion that the provisions of Section 7730-1, General Code, requiring school boards to hold school buildings and school lots for four years after the date of the suspension of such school, in order to protect the rights of the petitioners mentioned in Section 7730, General Code, are applicable only in cases where a new school building is not erected in the immediate vicinity of the suspended school to house the children of the suspended school, or where the material of the schoolhouse so discontinued is not needed in the erection of a consolidated school or other school building.

In specific answer to your inquiry, as to what is meant by a consolidated school, as the term is used in Section 7730-1, General Code, it is my opinion that "consolidated school" as there used, means a school made up by the combining of two or more schools brought about through suspension of schools as authorized in Section 7730, General Code.

Respectfully,

GILBERT BETTMAN,

Attorney General.

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APPROVAL, NOTES OF CINCINNATI CITY SCHOOL DISTRICT, HAMILTON COUNTY, OHIO—\$325,000.00.

COLUMBUS, OHIO, June 6, 1929.

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