

3801.

APPROVAL, NOTES OF VILLAGE OF OAK HILL, JACKSON COUNTY, OHIO—\$38,000.00.

COLUMBUS, OHIO, December 1, 1931.

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

3802.

BOARD OF PAROLE—NOT REQUIRED TO REPUBLISH NOTICES UNDER SECTION 2211-8, GENERAL CODE, WHERE BOARD CONTINUES DATE OF GRANTING PAROLE—SUCH CONTINUANCES NEED NOT APPEAR ON MINUTES OF THE BOARD.

SYLLABUS:

It is not necessary for the board of parole to republish or give again a notice previously published and given by the board of parole as required by section 2211-8, General Code, when the board of parole continues the date of granting a parole to some other date in the future.

The board of parole may continue undisposed cases either generally or for a definite or indefinite period of time with or without notations on the minutes of the board showing such a continuation.

COLUMBUS, OHIO, December 1, 1931.

HON. JOHN MCSWEENEY, *Director of Public Welfare, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge your letter of recent date, which reads as follows:

“Section 2211-8 G. C. (O. L. 114, S. 149) provides:

‘At least three weeks before the Board of Parole grants any parole or recommends any pardon or commutation of sentence, notice of the pendency of such matter, * * * shall be sent to the prosecuting attorney and the judge of the court of common pleas of the county in which the indictment against the offender was filed; * * * The said notice shall also be published once each week for two consecutive weeks in a newspaper published and of general circulation in said county. * * *

We respectfully request your opinion on the following questions:

1. After the required legal notice of the eligibility of an inmate in a penal institution has been published for two weeks and the Prosecuting Attorney and Judge in the County in which the inmate was convicted have been given the three weeks notice thereof, if the Board of Parole is unable to hold the meeting for any reason whatsoever, or, in its discretion decides to extend, or continue the case to a definite future monthly meeting, does the original legal notice and notices to the Prosecutor and Judge keep the case alive for such future consid-