

years. (95 O. S., 116). The normal time required for the completion of a high school course in the public schools has at all times been four years, and the legislature in the enactment of this provision apparently meant to provide that all pupils should have the advantage of attending a high school for the full period of four years, at public expense, but no longer, so far as the payment of tuition in schools outside the district is concerned. This end is attained with respect to pupils who reside in a district which offers three years of high school work, by providing that the district of residence shall bear the burden of tuition charges for the pupil in another school of the first grade, for one year more. It seems apparent that it was the intent of the legislature in the enactment of these statutes, that when the district of residence of a pupil had afforded four years of high school advantages, either in schools maintained within the district or in other schools, it had performed its full duty with respect to the pupil, and that it was not the intention that the district of residence should bear any other expense in so far as the pupil's high school attendance in schools outside the district is concerned.

I am therefore of the opinion that the board of education of the Erie Township Rural School District cannot lawfully pay the tuition of the pupil in question, in the Port Clinton High School for the school year 1934-1935, or any part thereof.

Respectfully,

JOHN W. BRICKER,
Attorney General.

3935.

HOUSING RELIEF—MAXIMUM AGGREGATE ALLOWANCE FOR APARTMENT HOUSE UNDER SUBSTITUTE S. B. NO. 53, FIRST SPECIAL SESSION, 90TH GENERAL ASSEMBLY.

SYLLABUS:

Where the annual taxes, exclusive of special assessments, levied upon an apartment house is \$120.00, the maximum, aggregate amount which may be allowed such apartment house, each month, for direct housing relief under Substitute Senate Bill No. 53 of the first special session of the 90th General Assembly, regardless of the number of suites occupied by indigent tenants, is \$10.00.

COLUMBUS, OHIO, February 11, 1935.

HON. FRANK T. CULLITAN, *Prosecuting Attorney, Cleveland, Ohio.*

DEAR SIR:—This will acknowledge receipt of your recent communication, which reads as follows:

“The provisions of Amended Substitute Senate Bill No. 53 read in part as follows:

“ * * * The clerk may issue a voucher to the auditor of the county each month for the rent of any indigent person whom he finds is entitled to such relief, which amount so allowed each month shall be not less than \$4.00 for a 2 room suite; \$5.00 for a 3 room suite; \$6.00 for a 4 room suite; \$7.00 for a 5 room suite and \$8.00 for a 6 or more room suite; but such voucher shall in no case exceed the sum of \$10.00 per suite or single house, nor shall the total of such vouchers issued upon any one taxable property exceed in any one

month 1/12 of the total annual tax exclusive of special assessments upon such property for the preceding calendar year. * * *

Assume a situation in which a landlord owns an apartment having four 5 room suites, one suite being occupied by a Cuyahoga County Relief administration client. The annual tax on the building is \$120.00. Under the provisions above quoted he is entitled to a minimum allowance of \$7.00 per month, which is less than 1/12th of his annual tax. It is also less than the maximum credit of \$10.00 per month.

Question: May the tenant be allowed the sum of \$10.00?"

Amended Substitute Senate Bill No. 53 of the first special session of the 90th General Assembly, reads as follows:

"Sec. 1. In addition to all other forms of relief, the commissioners of any county are authorized to appropriate the sum that said commissioners decide is necessary for the purpose of direct housing relief to indigent persons. Said Commissioners may appoint the clerk of the board of county commissioners to investigate claims and demands for such relief. The clerk may issue a voucher to the auditor of the county each month for the rent of any indigent person whom he finds is entitled to such relief, which amount so allowed each month shall be not less than \$4.00 for a 2 room suite, \$5.00 for a 3 room suite, \$6.00 for a 4 room suite, \$7.00 for a 5 room suite and \$8.00 for a 6 or more room suite; * * * but such voucher shall in no case * * * exceed the sum of ten dollars per suite or single house, nor shall the total of such vouchers issued upon any one taxable property exceed in any one month one-twelfth of the total annual tax exclusive of special assessments upon such property for the preceding calendar year." * * *

After reading the above act, the words of which are clear in meaning, it at once becomes apparent that the minimum amount which may be allowed each month for a 5 room suite is \$7.00 per month, subject, however, to the following limitations:

1. If such suite comprises the entire improvement erected on one taxable property, the annual tax upon which, exclusive of special assessments, is less than \$84.00, the amount which may be allowed per month is one-twelfth of the annual tax.
2. If such 5 room suite is one of two or more suites in an apartment house and said suite is the only one occupied by a recipient of direct housing relief, there may be allowed for such suite, per month, in the event the annual tax upon said property is less than \$84.00, a sum equal to one-twelfth of the annual taxes.
3. If, however, indigent tenants occupy two or more 5 room suites in such apartment and the annual tax upon the property is less than \$84.00, there may be allowed each month, in the aggregate, for all the apartments so occupied, a sum equal to one-twelfth of the annual tax.

It is likewise obvious that the maximum amount which may be allowed monthly for any suite or single house is \$10.00, unless the annual tax upon the property is less than \$120.00, in which event there may be allowed each month a sum equal to one-twelfth of the annual tax and subject of course to the other limitations outlined above with reference to the minimum amount.

Therefore, in specific answer to your question, it is my opinion that if the 5 room suite is the only one occupied by a tenant receiving direct housing relief, there may be allowed for such suite, each month, the sum of \$10.00. If however, two or more of

such suites in said apartment are so occupied, the maximum amount which may be allowed for all of such suites is \$10.00.

Respectfully,
JOHN W. BRICKER,
Attorney General.

3936.

APPROVAL, ABSTRACT OF TITLE, ETC., TO LAND IN SALEM TOWNSHIP,
JEFFERSON COUNTY, OHIO—WILLIAM H. RAMSEY AND CARRIE
RAMSEY.

COLUMBUS, OHIO, February 11, 1935.

HON. WILLIAM H. REINHART, *Conservation Commissioner, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval an abstract of title and a continuation thereof of certain lands owned by William H. Ramsey and Carrie Ramsey, his wife, situated in Salem Township, Jefferson County, Ohio, comprising 185.2 acres, more or less. You have likewise submitted to me a warranty deed, contract encumbrance record No. 26 and Controlling Board certificate relating to a tract of 3.35 acres out of the larger acreage above referred to, which the state of Ohio proposes to purchase as an extension to lands which were acquired by the State from William H. Ramsey and Carrie Ramsey by warranty deed under date of August 25, 1927.

Upon examination of the abstract of title and the continuation thereof above referred to, which continuation is certified by the abstracter under date of December 8, 1934, I find that William H. Ramsey and Carrie Ramsey have a good merchantable fee simple title to the 3.35 acre tract of land here under consideration. This tract of land is described as follows:

Situated in Salem Township, Jefferson County, Ohio, and being a part of Section 18, Township 10, Range 3 and described as follows: Beginning at a point in the East boundary line of said Section, 1881 ft. N. of the S. E. corner of said Section, which point is also the S. E. corner of the Crawford Tract; thence following the westerly line of the Crawford Tract, S. 68° W. 401 ft.; thence N. 45° W. 726 ft.; thence N. 38° 30' W. 231 ft.; thence N. 52° W. 297 ft.; thence N. 54° W. 236.63 ft. to an iron pin, which is the principal place of beginning; thence S. 38° 15' W. 68.35 ft. to a concrete monument; thence N. 71° 19' W. 90.75 ft.; thence N. 78° 19' W. 108.58 ft.; thence N. 49° 48' W. 193.78 ft.; thence N. 57° 15' W. 200.85 ft.; thence N. 61° 25' W. 108.42 ft.; then N. 62° 46' W. 115.85 ft.; thence N. 38° 45' W. 202.18 ft.; thence N. 43° 34' W. 162.52 ft. to an iron pin; thence N. 18° E. along Ramsey's line 154.51 ft. to the corner of Crawford Tract; thence S. 30° E. 214.5 ft.; thence S. 54° E. 1017.37 ft. to the place of beginning, containing 3.35 acres, as surveyed by E. A. Hand, Surveyor, October 15, 1934.

The title by which William H. Ramsey and Carrie Ramsey own and hold the tract of land above described is subject to the taxes for the year 1934 on this property as a part of the larger tract of land first above referred to. The taxes on the tract of