

1. Before a board of education, that does not maintain a high school and does not contract with another board or other boards in the same or an adjoining civil township for the schooling of its high school pupils, can be required to pay the tuition of resident high school pupils attending high school outside the district, due notice of such attendance must be filed in writing with the clerk of the board of education upon which board it is sought to impose the liability for the payment of tuition, as provided by Section 7750, General Code.

2. Because of the specific provisions of Section 7749-1, General Code, with respect to the furnishing of transportation to high school pupils, the board of education of any district is not required in any case, except as provided by Section 7749, General Code, to provide high school transportation, unless a finding is made by the county board of education affirmatively to the effect that such transportation is advisable and practicable.

Respectfully,

GILBERT BETTMAN,
Attorney General.

1237.

APPROVAL, LEASE TO MIAMI AND ERIE CANAL LANDS IN THE VILLAGE OF WEST CARROLLTON, MONTGOMERY COUNTY—G. S. PEASE.

COLUMBUS, OHIO, November 30, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You recently submitted for my examination and approval a certain lease in triplicate, executed by you in your official capacity as Superintendent of Public Works and as Director of such Department, whereby there is leased and demised to one G. S. Pease of West Carrollton, for a term of ninety-nine years, renewable forever, a certain parcel of abandoned Miami and Erie canal lands, located in said village of West Carrollton, Montgomery County, Ohio and which parcel is more particularly described in said lease.

The lease here in question which calls for the payment of an annual rental of six per cent upon the present appraised valuation of said parcel, which is one thousand dollars for the first fifteen years of the term, provides for a reappraisal of said parcel of land at the end of each fifteen year period during the term of the lease as provided for by House Bill No. 162, 111 O. L. 208, under the authority of which this lease is executed.

An examination of this lease shows that the same is in conformity with the provisions of the act of the Legislature above referred to, and with other statutory provisions relating to leases of this kind. Said lease is accordingly approved by me as to legality and form as is evidenced by my approval endorsed upon said lease and upon the duplicate and triplicate copies thereof.

Respectfully,

GILBERT BETTMAN,
Attorney General.