

2529.

APPROVAL, BONDS OF VILLAGE OF BOSTON HEIGHTS, SUMMIT COUNTY, \$12,000.00.

COLUMBUS, OHIO, June 1, 1925.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*

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2530.

APPROVAL, BONDS OF ROYALTON TOWNSHIP, CUYAHOGA COUNTY, \$17,126.62.

COLUMBUS, OHIO, June 1, 1925.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*

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2531.

APPROVAL, BONDS OF CITY OF WILMINGTON, CLINTON COUNTY, \$15,000.00.

COLUMBUS, OHIO, June 2, 1925.

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

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2532.

DISAPPROVAL, BONDS OF VILLAGE OF DEER PARK, HAMILTON COUNTY, \$23,614.16.

COLUMBUS, OHIO, June 2, 1925.

Re: Bonds of Village of Deer Park, Hamilton County, \$23,614.16.

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

GENTLEMEN:—The above bonds are issued under the provisions of section 3914, General Code, to pay the property owners' portion of said improvements, and are issued in anticipation of the collection of special assessments.

The transcript does not contain any evidence that the property owners have been notified of the filing of the assessments as levied in section 3895 G. C. This section provides as follows:

“Before adopting the assessment made as provided in this chapter, the council shall publish notice for three weeks consecutively, in a newspaper of general circulation in the corporation, that such assessment has been made, and that it is on file in the office of the clerk for the inspection and examination of persons interested therein.”

Upon request that affidavit of the publication of this notice be furnished as required by law, this department is now advised that no such publication of the notice has been given.

Since the amendment of section 3914, G. C., as found in 110 O. L., page 458, such bonds can only be issued in anticipation of the collection of special assessments.

I am therefore of the opinion that any failure to comply with statutory requirements in providing for such assessments will endanger the validity of the bonds, for the reason that such bonds could not be issued in anticipation of assessments that have not been legally made.

You are therefore advised not to accept these bonds because of this statutory failure in giving notice to the property owners.

Respectfully,

C. C. CRABBE,  
*Attorney General.*

2533.

SCHOOLS—PAYMENT OF TUITION OF GRADUATES OF SECOND  
GRADE HIGH SCHOOL—SECTION 7748 G. C. CONSTRUED.

SYLLABUS:

*The term “graduate” as used in section 7748, General Code, in the phrase “a board of education providing a second grade high school shall pay the tuition of graduates residing in the district at any first grade high school for one year” should not be restricted to graduates of the second grade high school maintained in said district, but may include pupils who have completed the work of a second grade high school or the equivalent thereof, but who may have not at any time attended the second grade high school of the district of their residence.*

COLUMBUS, OHIO, June 3, 1925.

HON. PETER P. BOLI, *Prosecuting Attorney, Hamilton, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion as follows:

“Is a child residing in Milford township rural school district which maintains a second grade high school but which school said child has never attended, having attended Hamilton high school during the last three years, and who is now eligible for his fourth year of high school, entitled