

was passed as a convenience to claimants to obtain refunds, speedily and inexpensively.

It is my opinion that the State Treasurer must deduct a pro rata share of the expense incurred on refunds made by him in sums less than \$50.00 where said moneys have escheated to the State of New Jersey.

Yours very truly,

THEODORE D. PARSONS,
Attorney General.

By: OSIE M. SILBER,
Deputy Attorney General.

oms/n

OCTOBER 1, 1952.

HONORABLE FREDERICK M. RAUBINGER,
Commissioner of Education,
175 West State Street,
Trenton 8, New Jersey.

FORMAL OPINION—1952. No. 6.

DEAR COMMISSIONER:

You have requested our opinion as to whether an employee of a school for industrial education, constituted pursuant to Title 18, chapter 15, article 4 of the Revised Statutes, is eligible for a veteran's pension under the provisions of R. S. 43:4-1 et seq.

In my opinion the answer is "Yes."

Section 43:4-2 of the Revised Statutes provides for a pension to veterans who for twenty years have been "in office, position or employment of this State or of a county, municipality or school district or board of education." While the governing body of a school for industrial education is denominated as a "board of trustees," the statute gives to such board virtually the same status, powers and duties as are vested in the boards of education which govern other publicly-operated schools and are known as "boards of education." (See R. S. 18:15-19 to 18:15-23.) It seems clear that in making the veterans' pension law apply to employment of a "school district or board of education," the Legislature intended to include not only the governing bodies of local school districts, but all other governing bodies of publicly-supported and operated schools. Thus, when the statute mentions "boards of education" in addition to "school districts," the former term must be held to include boards such as the board of trustees of a school for industrial education established pursuant to R. S. 18:15-17 et seq.

Yours very truly,

THEODORE D. PARSONS,
Attorney General.

By: THOMAS P. COOK,
Deputy Attorney General.

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