

abstract does not contain any showing as to the probate of this will nor any administration of his estate.

6. At Item No. 23 appears the dedication of a strip of land for road purposes from Fred Lieber, unmarried, to the Fairfield County Commissioners dated September 24, 1912. This instrument refers to an "accompanying Plat." Without this Plat I am unable to determine just where the strip of land dedicated was located. The Plat or copy thereof should be attached to the abstract.

7. At Item No. 24 is shown an oil and gas lease from Fred C. Lieber and Mary Lieber, his wife, to the Ohio Fuel Supply Company, dated November 27, 1920, for a term of twenty years, and as much longer as oil, gas, etc., is produced in paying quantities. The abstract does not contain any release or cancellation of this lease.

8. The taxes for the year 1927 are a lien. The abstract does not show any examination in the federal courts.

The encumbrance estimates bear numbers 3987, 3988 and 3989, respectively, are dated April 2, 1927, and bear the certification of the Director of Finance under date of May 7, 1927. They are apparently in regular order.

The deed from Fred C. Lieber and Mary Lieber, his wife, appears in good order and is properly executed. The descriptions in the deed from Stella M. Lathem and Caroline L. Huber are faulty in that they do not sufficiently locate the property. In each case the following should precede the description appearing on the deed:

"Being a part of the southeast quarter of the northwest quarter of Section twenty-two (22), township number seventeen (17), range number eighteen (18) of the refugee tract and described as follows:"

I am returning the abstract of title, warranty deeds and encumbrance estimates to you herewith.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

596.

**SOCIAL WORKERS—EXPENSES OF OFFICERS AND EMPLOYEES TO NATIONAL CONFERENCE ALLOWED—EXPENSES OF TRUSTEES AND SUPERINTENDENT OF CHILDREN'S HOMES ALLOWED.**

**SYLLABUS:**

1. *Under the provisions, upon the conditions and within the limitations prescribed in Sections 1356 and 1357 of the General Code, the various officers and employees attending the National Conference of Social Workers at Cleveland May 26th to June 2nd, 1926, may be legally paid their necessary expenses in attending said conference.*

2. *Under the provisions, upon the conditions and within the limitations prescribed in Section 3087, General Code, the trustees and superintendents of children's homes may legally be allowed their necessary expenses in attending the National Conference of Social Workers held at Cleveland, Ohio, May 26th to June 2nd, 1926.*

COLUMBUS, OHIO, June 10, 1927.

*Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.*

GENTLEMEN:—This will acknowledge receipt of your recent letter which reads:

"You are respectfully requested to furnish this department your opinion upon the following:

The National Conference of Social Workers was held at Cleveland, Ohio, May 26th to June 2nd, 1926. The welfare department invited the officers and employees mentioned in Section 1357, G. C., to attend this conference and gave them certificates of attendance as provided for in this section. In September, 1926, the Ohio Welfare Conference was held at Cincinnati and these same officials were given certificates of attendance.

Question 1. Could the various officers and employees attending the National Conference at Cleveland be legally paid their expenses as provided in Sections 1356 and 1357 of the General Code,

Question 2. Under Section 3087, G. C., could the trustees and the superintendent of the children's home be allowed their expenses in attendance upon the National Conference?"

The statutory provision for holding the conferences of the officers and employees of state, county and municipal boards, benevolent, penal and reformatory institutions, officials responsible for the administration of public funds used for the relief or maintenance of the poor, and boards of county visitors, and the payment of their actual and necessary expenses in attending said conference was originally contained in Section 656, Revised Statutes (98 O. L. 29), and reads as follows:

"The board of state charities may, at such times and places as they deem advisable, hold conferences of officers of state, county and municipal benevolent, penal and reformatory institutions, officials responsible for the administration of public funds used for the relief or maintenance of the poor, and boards of county visitors, to consider in detail questions of management, the methods to be pursued and adopted to secure the economical and efficient conduct of such institutions, the most effective plans for granting public relief to the poor, and similar subjects. All officials duly invited to such conferences shall be entitled to actual necessary expenses, payable from any funds available for their respective boards and institutions, provided they procure a certificate from the secretary of the board of state charities that they were invited to and were in actual attendance at the sessions of such conferences."

This section was carried into the General Code as sections 1356 and 1357, the language of the last paragraph of the original section being changed. Said Sections 1356 and 1357 then respectively read as follows:

"Sec. 1356. At such times and places as it deems advisable, the board of state charities may hold conferences of the officers of state, county and municipal benevolent and correctional institutions, officials responsible for the administration of public funds used for the relief and maintenance of the poor, and members of boards of county visitors. Such conferences shall consider in detail questions of management of such institutions, the methods to secure their economical and efficient conduct, the most effective plans for granting public relief to the poor, and similar subjects."

"Sec. 1357. The necessary expenses of all the persons invited to such conferences shall be paid from any fund available for their respective boards and institutions provided they shall first procure a certificate from

the secretary of the board of state charities that they were invited to and were in attendance at the sessions of such conferences."

It will be noted that under the provisions of said sections the Board of State Charities was authorized to hold conferences of said officers at such times and places as it deemed advisable; and also that the necessary expenses of all the persons invited to such conferences should be paid from funds available for their respective boards and institutions.

Sections 1356 and 1357 were again amended in 108 O. L. Pt. 1, page 427, to read as follows:

"Sec. 1356. The board of state charities may call an annual conference, of the officials specified in Section 1357 and representatives of the various social agencies in the state, to be known as the Ohio Welfare Conference. The purpose of the conference shall be to facilitate discussion of the problems and methods of practical human improvement, to increase the efficiency of agencies and institutions devoted to this cause; to disseminate information and to consider such other subjects of general social importance as may be determined upon by the conference itself. For this purpose the conference shall organize by the election of officers, the appointment of the proper committees, and the adoption of rules and regulations. The board may also call other conferences at any time or place for the consideration of problems relating to any particular group of institutions and agencies."

"Sec. 1357. The necessary expenses of such officers of the state, county and municipal boards, benevolent and correctional institutions, and officials responsible for the administration of public funds used for the relief and maintenance of the poor and members of boards of county visitors as are invited by the board of state charities to the conferences provided for in Section 1356 shall be paid from any fund available for their respective boards and institutions, provided they first procure a certificate from the secretary of the board of state charities as evidence that they were invited to and were in attendance at the sessions of such conferences."

It is noted that under the provisions of Section 1356 as so amended, the Board of State Charities may call an annual conference of various officials as specified in Section 1357, and also representatives of the various social agencies in the state to be known as the Ohio Welfare Conference, and that there is added the provision that said board may also call other conferences at any time or place for the consideration of problems relating to any particular group of institutions and agencies.

Section 1357 was again amended in 109 O. L. 54 so as to include employees of the boards, institutions and officials mentioned in said section and officials authorized to administer the probation laws.

It seems clear from the various provisions of these sections that the Board of State Charities is authorized to hold at least an annual conference of the officials, boards and employees mentioned in said sections at such time and place as said board may determine.

The answer to your questions, therefore, is based upon the construction to be given the last sentence of Section 1356 which reads:

"The board may also call other conferences at any time or place for the consideration of problems relating to any particular group of institutions and agencies."

Section 1357 authorizes the payment of the necessary expenses to such of said officials and employees as are invited by the Board of State Charities to the conference provided for in Section 1356.

You state that the officers and employees mentioned in Section 1357 were invited in May, 1926, to attend the National Conference of Social Workers held at Cleveland, Ohio, and were given certificates of attendance as provided for in said section; and also said officials and employees were invited to, and given certificates for their attendance at the Ohio Welfare Conference held at Cincinnati in September, 1926, and your specific question is as to whether or not the various officers and employees attending the National Conference at Cleveland could be legally paid their expenses as provided in Sections 1356 and 1357, General Code.

It is evident that the Ohio Welfare Conference held at Cincinnati was the "annual conference" of the officials specified in Section 1357 and representatives of the various social agencies in the state, because the Ohio Welfare Conference is designated in Section 1356 as the name of said annual conference of said officials, and the question arises as to whether the provision in Section 1356 that the board may also call other conferences at any time or place for the consideration of problems relating to any particular group of institutions and agencies is broad and comprehensive enough to include the conference of the National Social Workers held at Cleveland.

It is noted that this provision limits the "other conferences" to the consideration of problems relating to a particular group of institutions and agencies. While I am not informed as to the manner of procedure or subjects discussed at the National Conference of Social Workers, it is reasonable to assume that it was conducted as other national conferences of similar groups are conducted, and that separate conferences of the various sections of particular groups of institutions and agencies were held. While the entire membership of such conference usually hold some joint meetings, yet the usual procedure is to divide the various groups into sections and to hold separate and distinct meetings and conferences for the discussion of the questions pertinent to said particular group.

It is therefore not only possible but probable that the problems relating to the separate and particular groups of institutions and agencies were discussed in separate conferences at the National Conference of Social Workers held at Cleveland; and under the broad powers given to the Board of State Charities to call these conferences at any time or place, it is evident that said board was authorized to call a conference at Cleveland in connection with the National Conference of Social Workers. There is nothing in said provision limiting the calling of the other conference for the consideration of problems to one particular group of institutions or agencies at a particular time.

It is, therefore, my opinion that under the provisions, upon the conditions and within the limitations prescribed in Sections 1356 and 1357 of the General Code, the various officers and employees attending the National Conference of Social Workers at Cleveland May 26th to June 2nd, 1926, may be legally paid their necessary expenses in attending said conference.

Your second question is as to whether under Section 3087, General Code, the trustees and the superintendent of the children's home could legally be allowed their expenses in attending the said National Conference of Social Workers. Section 3087 of the General Code, as amended in 99 O. L. 185, reads as follows:

"The trustees shall not receive any compensation for their services, but they and the superintendent shall be allowed their necessary expenses while on duty, including expenses as duly accredited delegates to state and national conferences devoted to child-saving, and other charitable and correctional work, and such expenses shall be paid in the same manner as other current expenses of children's homes, and shall not exceed four hundred dollars in any year for any county."

It is noted that this section expressly authorizes the payment of the necessary expenses of the superintendent and trustees of the county children's home when they are serving as duly accredited delegates to state and national conferences devoted to child-saving and other charitable and correctional work.

In an opinion of this department, Annual Report of the Attorney General, Vol. I, 1912, page 118 at 119 it is stated:

"Furthermore, the legislature has seen fit to provide that the trustees of children's homes shall not receive compensation for their services 'but the said trustees and the superintendent shall be allowed their necessary expenses while on duty, including expenses as duly accredited delegates to state and national conferences devoted to child saving and other correctional and charitable work'—99 O. L. 185 (now Section 3087, General Code.)

It will, therefore, be seen that the legislature, in enacting the law in reference to trustees of children's homes, had in mind the advisability of such trustees attending state and national conferences."

It may reasonably be assumed that the National Conference of Social Workers held at Cleveland, Ohio, was devoted in part at least to child-saving and other charitable work; and also that said superintendents and trustees were duly accredited delegates thereto.

It is, therefore, my opinion that under the provisions, upon the conditions and within the limitations prescribed in Section 3087, General Code, the trustees and superintendents of children's homes may legally be allowed their necessary expenses in attending the National Conference of Social Workers held at Cleveland, Ohio, May 26th to June 2nd, 1926.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

597.

COUNTY COMMISSIONERS—WITHOUT AUTHORITY TO APPROPRIATE MONEY IN EXCESS OF \$2,000.00 ANNUALLY FOR PURPOSES ENUMERATED IN SECTION 1177-4, GENERAL CODE—MAY REPAIR AND MAINTAIN BUILDINGS OF COUNTY AGRICULTURAL FARM.

SYLLABUS:

*A board of county commissioners is without authority to appropriate money in excess of two thousand dollars annually for any or all of the purposes enumerated in Section 1177-4, General Code, namely, for the payment of wages of laborers*