

1320.

APPROVAL, ABSTRACT OF TITLE TO LAND IN CENTER TOWNSHIP,
WOOD COUNTY, OHIO.

COLUMBUS, OHIO, December 1, 1927.

MR. H. B. WILLIAMS, *President, Board of Trustees, State Normal College,
Bowling Green, Ohio.*

DEAR SIR:—You have submitted for my opinion an abstract of title prepared and certified by Earl K. Solether, an abstracter of Bowling Green, Ohio, under date of October 11, 1927, accompanied by the action of the Controlling Board, an encumbrance estimate and the deed of Mable E. Karns and her husband for property situate in Center Township, Wood County, Ohio, more particularly described as follows:

The North East Quarter ($\frac{1}{4}$) of the South East Quarter ($\frac{1}{4}$) of Section Nineteen (19) in Township Five (5) North of Range Eleven (11) East, in Wood County, Ohio, containing Forty (40) acres of land, more or less, excepting therefrom the West Sixteen (16) acres thereof and excepting also therefrom Four (4) acres in the South East corner of said Forty (40) acres, more particularly described as follows: Commencing at the South East corner of the above described Forty (40) acres in the center of the road from thence running North Twenty-two (22) rods, thence West Twenty-nine (29) rods, thence South Twenty-two (22) rods to the center of the road, thence running East in the center of the road Twenty-nine (29) rods to the place of beginning, containing Four (4) acres, more or less. The quantity of land herein intended to be conveyed is Twenty (20) acres, more or less and which is designated in the record of the plat of the subdivision of said section Nineteen (19) as Out Lot Number Ninety two (92) within the incorporated Village, now City, of Bowling Green, Wood County, Ohio.

After an examination of the abstract I am of the opinion that Mable E. Karns has a good and merchantable title to said premises, subject to the following liens:

1. A mortgage executed and acknowledged by Bert W. Karns and Mable E. Karns in favor of the Equitable Building & Loan Company of Bowling Green, Ohio, on February 13, 1919, recorded in Vol. 141, page 47, of the Wood County, Ohio, Mortgage Records, given to secure the payment of the mortgagors' note for \$2,000.00, bearing interest at the rate of 6% per annum, payable in weekly installments of \$2.50 per week.

2. The 1927 taxes, the amount of which is yet undetermined.

3. A special assessment for the Yount Road improvement, amounting to \$14.16 per year, which the abstracter says commenced with the year 1924 and extends to and includes the year 1928.

4. A special assessment for Bowling Green Street improvement, amounting to \$232.30 per year, the number of years for the continuance of payment on this assessment is not stated. In view of the fact that the abstracter does not state how many of these assessments are in default, whether or not interest is figured in the annual installment and how long the assessment for the city street improvement continues, I recommend that you further communicate with the owner of the property for a certificate covering the details of these assessments, especially in respect to the points I have just suggested.

The communication from the Controlling Board is dated September 19, 1927, and the secretary certifies that the board has released \$7,830.00 for the purchase of the land under consideration.

The encumbrance estimate is numbered 2915, is dated October 4, 1927, covers an appropriation of \$7,830.00 for the land under consideration, and has been approved by the State Architect, the Director of Highways and Public Works, signed by H. B. William, head of the division, and D. C. Brown, director of the department, and Wilbur E. Baker, Director of Finance.

The deed has been executed by Mable E. Karns and Bert W. Karns, her husband, on the 11th day of October, 1927, by which deed they convey to the State of Ohio, its successors and assigns forever, in consideration of \$7,830.00, the land under consideration, free and clear from all encumbrances. The deed was acknowledged by the grantors before a notary public on the 11th day of October, 1927. This deed, when delivered, will convey a fee simple title to the State of Ohio for the land under consideration.

I herewith return the communication of the Controlling Board, the encumbrance estimate, the deed and the abstract, together with a letter of Earl K. Solether, dated October 12, 1927, and a letter of Herbert B. Briggs, dated October 27, 1927.

Respectfully,
EDWARD C. TURNER,
Attorney General.

1321.

BOARD OF EDUCATION—AUTHORITY TO FILE COMPLAINTS AGAINST
TEACHERS—AUTHORITY OF SCHOOL PATRON—DUTY OF BOARD,
WHEN COMPLAINTS ARE FILED—SECTION 7701, GENERAL CODE,
DISCUSSED.

SYLLABUS:

1. *There is no procedure provided by statute for the hearing of complaints made by school patrons against teachers or employes of a board of education, or for the filing of written charges against such teachers or employes by third parties, or for the hearing of such charges if filed.*

2. *A board of education is the only instrumentality authorized by statute to prefer charges against teachers or other employes of the board, and then only for the purpose of giving to such teachers and employes an opportunity for defense against proposed dismissal for inefficiency, neglect of duty, immorality or improper conduct.*

3. *When complaint is made with a board of education by patrons of the school concerning the conduct of teachers or other employes of the board, either in writing or otherwise, the board is not authorized to conduct a public hearing in order to determine the truth or falsity of the facts stated in the complaint, but should in the proper discharge of its duty make such private investigation with reference thereto as the nature of the complaint would warrant.*

4. *When written complaints against teachers or employes of a board of education are filed with such board by patrons of the district, and the board in making such private investigation of such complaints, as in its judgment is warranted, determines that the facts stated in the complaints are true and that they amount to inefficiency, neglect of duty, immorality or improper conduct on the part of the teacher or employe against whom the complaint is made, the board may adopt the written complaints as its own charges against the teacher or employe, and, after giving such teacher or employe the opportunity to be heard*