

1895, which is not released of record, and also a mortgage by Isadora Turner and J. H. Turner to W. H. Carey under date of September 30, 1902, which does not appear to be released of record. It is probable that the statute of limitations has run against each and all of these mortgage obligations, but further information on this point is desired.

There are a number of other defects in the history of the title of the various tracts of land included within the larger tract of land here under investigation, but inasmuch as the above defects require my disapproval of the abstract, it is not deemed necessary to discuss the other objections noted by me on an examination of the abstract.

The other files submitted with this abstract are held pending the examination of the two other abstracts of title of lands owned of record by said Forest E. Roberts.

Respectfully,
GILBERT BETTMAN,
Attorney General.

1460.

COUNTY BOARD OF EDUCATION—PAYMENT OF SPEAKER'S EXPENSES AT MEETING PROVIDED FOR BY SECTION 7706-1, GENERAL CODE, UNAUTHORIZED.

SYLLABUS:

A county board of education cannot legally pay from the county board of education fund the expense of procuring a speaker at a meeting such as is provided for by Section 7706-1, General Code.

COLUMBUS, OHIO, January 28, 1930.

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

GENTLEMEN:—This will acknowledge receipt of your request for my opinion in answer to the following question:

“Question: May the county board of education legally pay from the county board of education fund the expense of procuring a speaker at the meeting provided for in Section 7706-1 of the General Code?”

Section 4744-3a, General Code, reads as follows:

“The county board of education is authorized to pay for the printing of programs, examinations and other necessary printing supplies for the use of the county superintendent and the superintendents and teachers of the county school unit. The county board of education is authorized to pay the expenses of its educational meetings required by law.”

Section 7706-1, General Code, reads as follows:

“The county superintendent shall, as often as advisable, assemble the teachers, assistant county superintendent and the superintendents provided for under Section 4740, of the county school district for the purpose of

conference on the course of study, discipline, school management, and other school work and for the promotion of the general good of all the schools in the county school district."

While there may be some question as to just what the Legislature meant to include within the expression "educational meetings required by law", as used in Section 4744-3a supra, there would seem to be little doubt but that the meeting provided for by Section 7706-1, General Code, is an educational meeting although the statute does not, in terms, make it an educational meeting of the county board of education. I am of the opinion that it is such a meeting as was contemplated by the Legislature when it provided that the county board of education might lawfully pay the expenses of its educational meetings required by law.

The meeting provided for by Section 7706-1, General Code, is a meeting called by and conducted by the county superintendent of schools who is the representative of the county board of education, and I am clearly of the opinion that the authority granted to a county board of education by the terms of Section 4744-3a of the General Code, to pay the expenses of its educational meetings authorizes the county board to pay the expenses of a meeting such as is provided for by Section 7706-1, General Code.

However, the authority to pay the expenses of this meeting extends no farther than to pay what are authorized legitimate expenses of the meeting. It will be observed by the terms of the statute that the purpose of the meeting is for a *conference* of the teachers, assistants, county superintendents, and other superintendents on the courses of study, discipline, school management and other school work and for the promotion of the general good of all the schools in the county school district.

There is nothing in the above statute which would authorize the procuring of lecturers or outside instructors or the turning of such a meeting as is there contemplated into what is generally considered to be a teachers' institute, the holding of which is otherwise provided for. Conference among the members of the meeting seems to be the entire purpose of the meeting, rather than a meeting to hear school matters discussed by outside speakers.

While I have no hesitancy in saying that the terms of Section 4744-3a, General Code, authorize a county board of education to pay the legitimate expenses of the meetings provided for by Section 7706-1, General Code, I am clearly of the opinion that the expense of procuring a speaker at such a meeting is not a legitimate expense of the meeting.

In specific answer to your question, therefore, I am of the opinion that a county board of education cannot legally pay from the county board of education fund the expense of procuring a speaker at a meeting such as is provided for by Section 7706-1, General Code.

Respectfully,

GILBERT BETTMAN,
Attorney General.