

Superintendent of Public Instruction, Payment of Costs in Sending Out Blank Reports, Statements and Notices.

The costs and charges of sending out blank reports, statements, notices, etc., to county school superintendents is a proper charge

against the expense account of the Superintendent of Public Instruction.

Helena, Montana, Sept. 12, 1905.

Hon. W. E. Harmon, Superintendent of Public Instruction, Helena, Montana.

Dear Sir:—Your request for an opinion regarding the payment of express charges on blank reports, statements, notices, etc., furnished by you to the county school superintendents received.

Section 1703, Political Code, provides that you shall cause to be printed and furnished to the proper officers all school registers, reports, statements, notices and blanks for returns needed or required to be used in the schools or by the school officers in the state; and Section 1717, of the same code, provides that "all necessary expenditures of money incurred by the superintendent of public instruction for postage, stationery, printing and expressage, not exceeding two hundred and fifty dollars in any one year, shall be paid by the state." It will be noticed from the wording of said Section 1703 that it is the duty of your office to furnish the above supplies to the county school superintendents, and this would include the payment of the necessary charges for transmitting the supplies to the county superintendents.

Section 1733, Political Code, provides that the county superintendent shall distribute to the proper officers of his county all blanks furnished him by the state superintendent. Section 1742, Political Code, provides that the county shall furnish the county superintendent all necessary stationery and postage. The term "stationery," in its technical sense, as used in Section 1742, would not include school registers, blank reports, statements, notices, etc., nor would the term "postage," as used therein, cover express charges on school registers, blanks, etc., sent by the state superintendent to the county superintendent.

It is my opinion, therefore, that so long as your expense account does not exceed \$250 in any one year that the express charges for sending out such supplies should be paid by your office. If, however, the limit of \$250 should be reached, beyond which you are prohibited by law from going, and it is necessary for the county superintendents to have these blanks for use in their counties, then, of course, all you could do would be to send the same, express charges collect, and the county superintendent would have to make some arrangements with the board of county commissioners to pay the same.

Yours very truly,

ALBERT J. GALEN,

Attorney General.