

Counties, Charges Against. Superintendent of Schools, Expenses of. County Commissioners, Discretion in Allowing Expenses of County Superintendent of Schools.

Held that it is within the discretion of the Board of County Commissioners as to whether the expenses of a county superintendent in attending certain teacher's meetings and conventions are a proper charge against the county.

January 15, 1915.

Hon. T. A. Thompson,
County Attorney,
Kalispell, Montana.

Dear Sir:

I am in receipt of your communication under date the 12th ultimo, asking for my opinion as to whether the traveling expenses of the county superintendent of schools in attending the Inland Empire Teachers' Association at Spokane, the State Teachers' Association, Butte, and the County Superintendent's Convention at Great Falls, are proper charges against the county, and to be paid under the provisions of Section 3195, Revised Codes of 1907.

I find no direct authority in law for any of these expenditures. The one which perhaps comes nearest having legal sanction, is the County Superintendent's Convention, which is called by the State Superintendent. There is practically no choice on the part of the County Superintendent about attending this convention. As to the others, they are optional with the Superintendent. Undoubtedly all of them are intended to, and do have a beneficial effect upon our school system. It is largely a matter of administration and discretion with the Board of County Commissioners. If they believe that sufficient benefit is conferred upon the schools by the attendance of the County Superintendent at these functions, I think there could be no very valid objection against their allowing the claim.

Yours very truly,
D. M. KELLY,
Attorney General.