

**Arid Land Grant Funds.**

The State Auditor, having nothing to do with the State Arid Land Grant Funds, it is unnecessary for his office to keep a record of them.

February 18, 1905.

Hon. Harry R. Cunningham, State Auditor, Helena, Montana:

Dear Sir:—Your letter of the 15th instant duly received, in which you ask for the opinion of this office as to whether or not it would not be advisable to abolish the record in your office of the various State Arid Land Grant Funds.

As stated in your letter I heretofore advised the State Treasurer that the State Arid Land Grant Funds are trust funds with which the State Board of Examiners or the State Auditor have nothing to do. In the case of State, ex rel. Armington v. Wright, 17 Mont. 565, our Supreme Court has held, in effect, that these funds are not subject to the control and supervision of state officers as are state funds.

I would, therefore, say that it is unnecessary for your office to keep a record of them.

Yours very truly,

ALBERT J. GALEN,

Attorney General.