

**State School for Deaf and Blind, Income Fund. School Funds, Income From.**

The income derived from the permanent fund for the State School for the Deaf and Blind is available for use for the maintenance and support of the institution.

Helena, Montana, Jan. 7, 1908.

Hon. C. R. Stranahan, Pres.  
Board of Trustees for the Montana  
State School for the Deaf and Blind,  
Boulder, Montana.

Dear Sir:—

I am in receipt of your favor of December 20th, submitting the question as to whether or not the income from the permanent fund belonging.

to the Montana Deaf and Dumb Asylum is now available for use in the maintenance and support of the institution.

In the State ex rel Koch, vs. Barrett, 26 Mont. 62, the Supreme Court held that these funds are within the exclusive jurisdiction of the State Board of Education and that the State Treasurer should pay them out upon the order of said Board. After considerable research among the records kept by this Board we have found that an order in the form of a motion was made which permits the use of this income for purposes which are exclusively for the maintenance and support of the institution.

You are therefore advised that the accumulated income from the permanent fund of this institution is now available for use.

Very truly yours,

ALBERT J. GALÉN,

Attorney General.