

**School District, Powers of Trustees of. Trustees, Powers of School District. School House, Location of.**

The board of trustees of a school district have authority to select a site for the building of a school house where the funds therefor are at their disposal, without submitting the question to a vote of the electors.

Helena, Montana, April 22, 1909.

Hon. F. P. Leiper, County Attorney, Glendive, Montana.

Dear Sir:

I am in receipt of your letter of April 12, and on account of the press of business, and the fact that the office force has been short, due to sickness, and absence from the state, I was not able to answer your letter earlier.

You submit therein the following question:

“Has the Board of Trustees the power to fix the location of a school building, or must the proposition of the location of it be submitted to the electors of such school district?”

You are advised that the Board of School Trustees has a larger discretion in controlling the affairs of the district, and I believe it is within their power to exercise this discretion in selection of a suitable site for the location of the additional school building.

A somewhat similar question was submitted to this office, and a reply thereto addressed to, Hon. S. V. Stewart, County Attorney of Madison County, dated April 10, 1908, will be found in the report and opinions of the Attorney General of 1906-'08, at page 254.

It is my opinion that it is unnecessary for the trustees to submit the question of the location of the building to the electors of the district.

Very truly yours,

ALBERT J. GALEN,

Attorney General.