

School Districts, Trustees Of. Trustees, of School Districts. Counties, Change of Boundaries of, Effect Upon Office of School Trustee.

School district formed as provided by law are by statute declared to be a body corporate. The mere fact that the district has been transformed from one county to another by change of the boundary of the counties would not effect the legal status of the district; and the board of trustees of the district so long as they reside within the district and within the county of which the district is a part are entitled to hold their office until the expiration of the term.

March 18, 1911.

Mr. George H. Shambow,
Lakeview, Montana.

Dear Sir:

Your letter of March 14th has been received, requesting my opinion as to whether or not trustees of school districts which were formerly a part of Madison county and which have been added to Beaverhead county by an Act of the legislative assembly are entitled to hold their office until the expiration of the term of office or should new trustees be elected or appointed.

In reply, I will state, that under the provisions of Section 848, Revised Codes, every school district constituted and formed as provided by law is declared to be a body corporate. The mere fact that the district has been transferred from Madison to Beaverhead county by a change in the boundaries of these two counties would not affect the legal status of the district, and that being the case the board of trustees of the district, so long as they reside within the district and within the county of which the district is now a part, are entitled to hold their office until the expiration of their term as prescribed by law, the same as if the boundaries of the county had not been changed.

Yours very truly,

ALBERT J. GALEN,

Attorney General.