

**County Free High School, Contract of. School District,  
Contract of. Trustees, Contracts by. School Building, Rent  
of by County High School.**

The trustees of county free high school and trustees of school district have authority to contract for the use of building for county free high school.

May 14, 1915.

Hon. H. F. Miller,  
County Attorney,  
Fort Benton, Montana.

Dear Sir:

I am in receipt of your letter of the 8th instant, relating to the authority of the county free high school board and the school district board to enter into a contract for the use of the school district buildings for county free high school purposes; and also as to the authority of the school district to erect and equip a new building. Subdivision C, Section 2104, Chapter 76, Laws of 1913, confers direct authority upon the county free high school board and the school district board to enter into contracts "for such time as may be deemed best for the interest of the county." This would seem to settle the law so far as the authority of the board to contract is concerned. A school district has authority to erect new buildings or to erect an addition to an old building, and may issue bonds therefor, as provided in Section 2015, of said Chapter 76, and in the erection of such new building, if the finances of the district will permit it, the reasonable growth and future needs of the district may be taken into consideration, and when such building is erected, or such addition made, if the district finds that there are spare rooms, it may rent them to the county free high school board, under the authority of Subdivision C, above named, but the district has no authority to erect a building solely for the purpose of renting the same. This seems to dispose of the law questions involved. The other questions are rather more of business transactions than of law, and of course, all such business must be within the bounds of reason, as to necessity, time and amount.

Yours very truly,

D. M. KELLY,

Attorney General.