

**Summer Schools—Schools— Appropriations — Northern Montana Agricultural and Manual Training School.**

No part of the Northern Montana Agricultural and Manual Training School fund, created by chapter 82, laws 1927, may legally be used to defray the expenses of a teachers' summer school held in Havre under the order of the state board of education of April 5, 1927.

The money appropriated by house bill 304, laws 1927, may legally be expended in maintaining a summer school at Havre and subjects may be taught at the summer school to meet the requirements of the above regional summer schools.

T. J. Troy, Esq.,  
Havre, Montana.

May 9, 1927.

My dear Mr. Troy:

You and senator Cowan, of Hill county, have asked my opinion upon the following matter:

House bill 304 of the 20th legislative assembly appropriated \$5,000 "for equipment and expenses in connection with a summer agricultural school at the Northern Montana Agricultural Manual Training School."

Section 921 R. C. M. 1921, as amended by section 2, chapter 82, laws 1927 (senate bill 99) creates a fund known as the "Northern Montana Agricultural and Manual Training School Fund", and provides that "said fund shall be used for the support of said school."

At the meeting of the state board of education of April 5, 1927, it was voted that Havre, Miles City, Billings, and Lewistown should be permitted to hold summer schools as state schools, provided they met certain requirements, one of which was the following:

"Each town requesting a regional summer school must underwrite and give adequate guarantee that the school shall be financed by the town asking for the school, it being understood, of course, that the income from fees will apply toward financing the project."

It is my understanding that the summer schools referred to in the above action of the state board of education are conducted by the Dillon State Normal School, and are under the supervision of Dr. Davis, the president of that institution. You desire my opinion as to whether any

part of either the \$5,000 appropriation above mentioned or any part of the Northern Montana Agricultural and Manual Training School Fund may be used to defray the expenses of the summer school for teachers authorized to be held at Havre by the above action of the state board of education.

It is my opinion that the Northern Montana Agricultural and Manual Training School Fund could not lawfully be used for the above purpose. The act above cited specifies that said fund "shall be used for the support of said school." Since, therefore, the Northern Montana Agricultural and Manual Training School does not conduct the summer school referred to by the state board of education, said school being in fact conducted by the Dillon State Normal School, it is my opinion that no part of the special fund above mentioned can lawfully be expended in defraying the expenses of the teachers' summer school above referred to.

It is, however, my opinion that it is possible for the local executive board of the Northern Montana Agricultural and Manual Training School to authorize the holding of a "summer agricultural school" at Havre by the Northern Montana Agricultural and Manual Training School, and to permit the giving of courses and subjects at said summer school that will meet the requirements of the teachers' summer school contemplated by the above quoted action of the state board of education.

If that is done, it is my opinion that there may lawfully be expended in maintaining said "summer agricultural school" any part of the \$5,000 appropriation above referred to. It is my opinion that the word "agricultural", which is used in qualifying the word "school" in house bill 304, does not mean that the subjects taught at such summer school must be exclusively agricultural in character.

Section 917 of the code, as amended by chapter 66, session laws 1925, defines the objects of the Northern Montana Agricultural and Manual Training School in very broad language. The section declares that said school has for its object "instruction and education in the English language, literature, and mathematics, mechanic arts, agricultural chemistry, animal and vegetable anatomy and physiology, and veterinary art, entomology, geology, and such other natural sciences as may be prescribed by the State Board of Education, political, rural and household economy, agriculture, horticulture, moral philosophy, history, bookkeeping, and especially the application of science and the mechanical arts to practical agriculture in the field, and irrigation and use of water for agricultural purposes; also all that relates to an efficient, modern manual training school."

It will thus be observed that the objects of this so-called agricultural and manual training school are sufficiently broad to include practically everything originally taught in a course leading to the degree of bachelor of science or bachelor of arts.

I would suggest that if your local executive board decides to proceed in accordance with the views herein expressed, it might properly

adopt a motion or resolution authorizing the holding of a "summer agricultural school" at Havre, and declaring that there shall be taught at said summer agricultural school such **agricultural subjects as it sees fit to specify**, and in addition there shall be taught at said school, under the supervision of the president of the State Normal School at Dillon, such subjects and courses as he may prescribe, in order to conform to the requirements of the state regional summer school authorized to be held at the city of Havre by action of the state board of education at its meeting of April 5, 1927.

Very truly yours,

L. A. FOOT,  
Attorney General.