

Bonds—Northern Montana Agricultural and Manual Training School—Buildings—Appropriations—Funds.

An appropriation can be made from the bond issue authorized under chapter 126, laws of 1929 for the academic department of the Northern Montana Agricultural and Manual Training School even if it is located away from Fort Assiniboine.

Hon. W. T. Cowan,
Member of the Senate,
Helena, Montana.

February 6, 1931.

My dear Senator Cowan:

You have requested my opinion whether any part of the funds realized from the bond issues provided for under the provisions of chapter 126, laws of 1929 can be used for the purpose of providing suitable buildings for the academic department of the Northern Montana Agricultural and Manual Training School located within and adjacent to the city of Havre.

Under the provisions of chapter 67, laws of 1913, the Northern Montana Agricultural and Manual Training School was established at Fort Assiniboine but this was amended by the provisions of chapter 82, laws of 1927 which authorized the executive board and the state board of education to establish the academic department of the school within or adjacent to the city of Havre, and later the following resolution was adopted by the executive board and approved by the state board of education:

“WHEREAS, the Academic Departments of The Northern Montana Agricultural and Manual Training School have, during

the past two years, been located and conducted within the City of Havre, Hill County, Montana; and

“WHEREAS, Said Academic Departments of said School do not of necessity or for reasonable convenience need to be located on the premises or grounds of said School at the Fort Assiniboine Military Reservation; and

“WHEREAS, It is much more convenient and suitable and much more to the interests of said School and of the students attending and who will in the future attend said School and its Academic Departments that they be located within or adjacent to the City of Havre, Hill County, Montana;

“NOW, THEREFORE BE IT RESOLVED at this regular meeting of the Executive Board of the Northern Montana Agricultural and Manual Training School held at the office of said Board in the City of Havre, Hill County, Montana, on the fifth day of December, 1930, that the Academic Departments of The Northern Montana Agricultural and Manual Training School be, and they are hereby located within or adjacent to the City of Havre, Hill County, Montana.

“BE IT FURTHER RESOLVED, That these resolutions be presented to the State Board of Education at its meeting at Helena, Montana, on the Fifteenth day of December, 1930, for the approval and adoption by said Board.

“Respectfully submitted,

“THE NORTHERN MONTANA
AGRICULTURAL and MANUAL TRAINING SCHOOL

“By S. Kendrick Clarke,

“Secretary to the Executive Board.”

Chapter 82, laws of 1927 did not in any way separate the academic department from the Northern Montana Agricultural and Manual Training School and neither did the location of this department by the executive board and the state board of education away from Fort Assiniboine set up a separate institution.

Chapter 126, laws of 1929, mentioned the Northern Montana Agricultural and Manual Training School as one of the institutions to share in the proceeds of the bond issue. This is an official designation of the entire institution and since the academic department is a part of that institution it is my opinion that it comes within the provisions of the act even if located away from Fort Assiniboine and that an appropriation can be made from the fund in question for the purpose of providing suitable buildings for the said department.

Very truly yours,

L. A. FOOT,

Attorney General.