



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Hon. T. M. Trimble
First Assistant
State Superintendent
Austin, Texas

Dear Sir;

Opinion No. O-1785
Re: School Districts -- Cession
of territory by one district
to another.

We have your letter submitting to this department
for a legal opinion the following case, to-wit:

*Concord Consolidated Common School
district No. 9 is situated in the South-
eastern portion of Rusk County and adjoin-
ing the Shelby County line. The Timpson
Independent School District is situated
in Shelby County, Texas, but does not
join the county line between Rusk and
Shelby Counties.

*On or about the 1st of August, 1939,
the Boards of Trustees of Harrison and
Weaver Common School Districts, situated
wholly in Shelby County, together with the
County Board of Trustees of Shelby County
prepared certain orders granting to Timp-
son Independent School District a thirty
(30) foot strip of land across the Weaver
and Harrison School Districts for the pur-
pose of connecting the Concord Consolidated
Common School District with the Timpson Inde-
pendent School District. This action was
had in order to connect said Concord Dis-
trict with Timpson Independent School Dis-
trict so that transfer of scholastics could
be made from said Concord Consolidated Com-

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mon School District to the Timpson Independent School District.

"The Board of Trustees of the Concord Consolidated Common School District No. 0, desires that you submit to the Attorney General of Texas, the question of the legality of the action on the part of the Harrison and Weaver Common School Districts and the Board of Trustees of Shelby County in granting to Timpson this thirty (30) foot strip of land in order that said Timpson District would connect with the Concord District so that said transfers could be made."

The Harrison and Weaver Common School Districts have no authority in law to convey to the Timpson District the 30-foot strip of land inquired about. The Board of such a district has only such powers as are granted to it by statute, and this power to convey away a part of its territory is not one of them.

The various phases of this subject have been elaborately discussed and decided in opinions as follows: No. 0-151, No. 0-275, No. 0-948, and No. 0-1710, copies of which opinion accompany this reply.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By

Ocie Speer

Ocie Speer
Assistant

APPROVED JAN 11 1940

J. H. Moore

FIRST ASSISTANT
ATTORNEY GENERAL

OS-MR

Enclosures

