

**National Guard.—Encampment.—Appropriation.**

The State Auditor cannot issue a warrant against the money appropriated "for encampment National Guard," to defray the expense of camping detachments of the several companies for rifle practice.

Helena, Montana, May 30th, 1905.

Mr. A. M. Alderson, Adjutant General, Helena, Montana.

Dear Sir:—I have the honor to acknowledge receipt of your letter of the 27th instant in which you submit the following proposition, and request an opinion thereon; would it be legal for the State Auditor to draw warrant against the appropriation "for an encampment of the National Guard" for the purpose of defraying the expense of camping detachments of the several companies of the 2nd Regiment of Infantry, N. G. M. upon the rifle range at Fort Harrison, July 23rd and 24th, for the purpose of instruction in rifle firing?

The last legislative assembly made two distinct appropriations for the National Guard, to-wit:

1. For the maintenance of the National Guard, five thousand dollars.
2. "For encampment National Guard, five thousand dollars."

It is apparent from this law that the appropriation for the encampment was a special appropriation for a specific purpose, and it is well established that where money is appropriated for a specific purpose, it cannot be used for any other purpose. "Encampment" as contemplated by this law, means an assemblage of the National Guard, not selected detachments thereof, for military maneuvers, military instruction, and instructions and experience in camp life. The meeting of specially selected details or detachments for the single purpose of competitive drill or instruction in rifle firing, does not fall within this meaning, and the Auditor would not be authorized to draw his warrant against the appropriation "for encampment National Guard" to meet the expenses incurred thereby.

Respectfully submitted,

ALBERT J. GALEN,

Attorney General.