

Soldiers' Home, Board of Managers Of—Department Commander, Death Of—Senior Vice Commander, Duties Of.

Section 2511, Political Code, provides that the department commander of the Grand Army of the Republic of Montana shall be a member of the board of managers of the Soldiers' Home. Article 6, Section 2, rules and regulations of the Grand Army of the Republic provides that in the event of a vacancy in the office of department commander the senior vice commander shall at once succeed to the title and duties of that office. Upon the death of the department commander the senior vice commander becomes a member of the board of managers of the Soldiers' Home, upon qualifying and filing the bond required by Section 2512, Political Code.

Helena, Montana, July 1, 1905.

Dr. C. B. Miller, Secretary, Board of Managers Montana Soldiers Home,
Helena, Montana.

Dear Sir:—Your letter of the 11th instant, requesting an opinion of this office as to whether the Senior Vice Commander of the Grand Army of the Republic of the State of Montana, by virtue of his office, becomes a member of the Board of Managers of the Soldiers' Home upon the death of the Department Commander, to hand.

Section 2511, Political Code of Montana, provides "that the general supervision and government of said home shall be vested in a board of managers, to consist of five members, one of whom shall be the department commander of the grand army of the republic of the State of Montana for the time being." Article 6, Section 2, rules and regulations of the grand army of the republic provides, "In the event of a vacancy in the office of department commander, the senior vice commander shall at once succeed to the title and duties of that office, and the junior vice commander shall succeed to the title and duties of the senior vice commander."

It will be seen from the above quotation from the rules and regulations of the grand army of the republic, that upon the death of the department commander the senior vice commander becomes the department commander until the next election of officers. He is, therefore, "for the time being" the department commander of the grand army of

the republic of the State of Montana, and as such he becomes a member of the board of managers of the Soldiers' Home, upon taking the oath prescribed by law and executing to the State of Montana a bond in the sum of \$5,000, as provided by Section 2512, Political Code.

Yours very truly,

ALBERT J. GALEN,

Attorney General.