

National Guard—Encampment—Troops, Per Diem Of.

Under the provisions of laws 1897, p. 187, national guardsmen who attend an encampment are entitled to the per diem as named in Section 18 of the act of March 9, 1897.

Claims therefor should be filed by the men with the State Board of Examiners, and if approved, to be transmitted to the legislative assembly, as provided in Section 689, Political Code.

Helena, Montana, Oct. 31, 1905.

Hon. A. F. Bray, Colonel, Commanding 2nd Infantry, N. G. M., Butte, Montana.

Dear Sir:—I beg leave to acknowledge receipt of your communication of October 24, making inquiry as to the pay of national guardsmen who attended the recent encampment at the military reservation near Bozeman, Montana.

Under the provisions of section 18, of the act of March 9, 1897, laws 1897, p. 152, "there shall be held every year an encampment of the national guard, not to exceed ten days in duration, at the State military reservation (old Fort Ellis) near Bozeman, at such time as the governor shall direct.

For services during such encampment the national guard shall be entitled to the following per diem:

Privates and musicians.....	\$1.50
Corporals	1.60
Sergeants	1.75
Non-commissioned officers and members of the reg- imental band.....	2.00
Second lieutenants.....	2.25
Captains and all officers of higher rank.....	2.75

All men and officers who have not received this pay are entitled to receive it, or to have their claims allowed therefor. It is probable that there is not money enough in the fund to pay all these claims. In that event claims that were allowed would have to be referred to the next legislative assembly, in accordance with the provisions of section 689, Political Code.

The Adjutant General informs me that he will address a communication to the company commanders of the various companies, advising them to have the men file their claims with the State Board of Examiners for any pay which they may claim that is due them by reason of attending this encampment, and will transmit to such company commanders a sufficient number of blanks for this purpose. The claims then, when made out and signed and O. K.'d by the company commanders, to be transmitted to the State Board of Examiners for approval.

It is very unfortunate that there is not sufficient money in the encampment fund to pay all these claims for attendance, but under the circumstances the proceedings above outlined is all that can be done at the present.

Respectfully submitted,

ALBERT J. GALEN,

Attorney General.