

**Pharmacy, State Board of. State Board of Pharmacy,  
Meetings. Meetings, of Pharmacy Board, When Held.**

The State Board of Pharmacy is vested with authority to hold adjourned meetings.

July 15, 1915.

Mr. J. A. Riedel,  
Secretary State Board of Pharmacy,  
Boulder, Montana.

Dear Sir:

I am in receipt of your letter of the 12th instant, submitting the question:

as to whether there is any authority in law for the holding of more than two meetings by the State Board of Pharmacy or the holding of adjourned meetings for the State Board of Pharmacy?

Section 5 of Chapter 134, Laws of 1915, providing for meetings of the Board, specifically provides that

"Meetings for the examination of applicants for registration, granting of certificates, and such other business as is necessary, shall be held not to exceed twice in any one year, and at such times and places as may be fixed by the Board."

There is not any provision of law as to the number of days the Board may remain in session, nor is there any provision that the meetings of the Board must be continuous until the business is finally transacted. It is fundamental that a Board vested with authority to hold meetings, may, unless restricted by some provision of law, adjourn their regular meeting to such time as will best enable the Board to transact its business, and these adjourned meetings are only continuations of the former meetings.

28 Cyc, 328.

Brief filed in O'Brien vs. Drinkenberg, 41 Mont. 538.

Of course, the Pharmacy Board, the same as any other Board, might abuse its discretion in such a manner as to render the members thereof liable, but it would seem, however, that the provisions for compensation contained in Section 6, wherein the Board members are limited to five dollars per day and actual expenses are not a sufficient inducement to hold meetings for the compensation allowed.

Under the provisions of the law, I believe the Board is vested with authority to hold adjourned meetings.

Yours very truly,

J. B. POINDEXTER,

Attorney General.