

or marines shall be given priority for entrance thereto over other applicants in the order in which their applications for admittance are received and filed."

You will note soldiers, sailors or marines who have served in the army or navy of the United States are entitled to preference over other applicants for admission when they establish three facts, namely: (1) at the time of their discharge they were citizens, or had established their residence in the state of Montana; (2) a finding on their discharge they were suffering from tuberculosis; (3) admission is requested by the proper federal authorities.

Discharged veterans who possess the three above enumerated qualifications or conditions are entitled to priority for entrance over other applicants, and as between veterans of this class their priority of admission as among themselves is the order in which the applications are received and filed.

Sincerely yours,  
R. V. BOTTOMLY  
Attorney General

Opinion No. 56.

**Veterans—Tuberculosis—Montana  
State Tuberculosis Sanitarium**

Held: Discharged veterans are entitled to preference in admission to the Montana State Tuberculosis Sanitarium when (1) at time of discharge they were citizens or residents of Montana, (2) where it is found on their discharge they are suffering from tuberculosis and (3) their admission is requested by proper federal authority.

May 20, 1943.

F. I. Terrill, M. D., Superintendent  
Montana State Tuberculosis Sanitarium  
R. F. D. No. 1  
Deer Lodge, Montana

Dear Dr. Terrill:

You submit the question relative to men applying for admission to the Montana State Tuberculosis Sanitarium who have been previously discharged from military service and if they are entitled to priority over other applicants.

The applicable statute, Section 1520, Revised Codes of Montana, 1935, provides in part:

" . . . provided, further, that any soldier, sailor, or marine, who has served in the army or navy of the United States, and was at the time thereof a citizen or had established his residence in the State of Montana, who on discharge therefrom is found to be suffering from tuberculosis, and whose admission to the Montana state tuberculosis sanitarium is requested by the proper federal authorities, shall be entitled to be admitted thereto, and shall be classed for the purpose of admission on the same basis as free patients, and all such soldiers, sailors