

SOLDIERS HOME: Board of trustees Soldiers Home at Higginsville, Missouri, has authority to appoint and employ superintendent for that Home.

February 4, 1933

FILED

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Honorable Chilton J. Estes  
House of Representatives  
Jefferson City, Missouri

Dear Mr. Estes:

The question submitted for answer to yourselfest as we understand is as follows:

"In whom is vested the authority to appoint a superintendent of the Confederate Soldiers Home located at Higginsville, Missouri."

Section 13928 Revised Statutes Missouri, 1929, provides that the control and management of the Confederate Soldiers Home at Higginsville, Missouri, shall be vested in a board of trustees composed of five members, all of whom shall be appointed by the Governor, by and with the advice and consent of the Senate.

Section 13929 provides that the board of managers (which we take it refers to board of trustees) shall elect a president, secretary and treasurer from their number; that the board of managers shall have power and authority to make all necessary rules and regulations for the control and maintenance of the Home, and shall "also provide for the necessary employees".

It is the duty of the board to appoint all employees that are necessary to carry out the object purpose of the establishment, maintenance and operation of the Home, and to that end the board may do as the statute says they may do, provide for employees or appoint employees and that would be true whether such employees were designated as superintendent or any other name that might seem appropriate. The superintendent of the Home would be as much an employee as any other person that might be employed in connection with the operation of the Home.

Very truly yours,

GILBERT LAMB  
Assistant Attorney General.

APPROVED:

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Attorney General.

GL:LC