

Opinion No. 13-1079

July 14, 1913

BY: FRANK W. CLANCY, Attorney General

TO: Honorable George E. Remley, District Attorney, Cimarron, N. M.

OFFICE SUPPLIES OF DISTRICT ATTORNEY.

A typewriting machine is part of office supplies.

OPINION

{*249} I have today received your letter of the 12th inst., in which you say, in substance, that under the provisions of Section 1 of Chapter 54 of the Laws of 1913, to the effect that all necessary stationery, office supplies and postage shall be provided for the use of the several district attorneys, the actual cost thereof to be paid, upon verified accounts approved by the district judge, out of court funds of the several counties in the district in the same proportion that such counties contribute to the payment of salaries of the district attorneys, you have purchased a typewriter and that the judge is somewhat doubtful as to whether a typewriter is covered by the term "office supplies."

I have not the slightest hesitation in saying that a typewriter machine is just as much a part of your office supplies as are pens, pencils, ink and paper. It is true that it is not used up as rapidly as those articles, but that does not change its essential character, which is to be determined by the use to which it is put. You say very correctly that whatever supplies you have on hand when your term expires, should be turned over to your successor in office. There can be no good reason given why you should wear out your own typewriter, purchased with your own money, in the official work of your office.