

Opinion No. 13-974

January 2, 1913

BY: FRANK W. CLANCY, Attorney General

TO: J. F. Hutchison, Superintendent, New Mexico Reform School, Springer, N. M.

REFORM SCHOOL.

Reform School is not authorized to borrow money.

OPINION

{*135} Your letter of the 31st ult. was received yesterday. I was not aware of the fact that the Reform School had borrowed any money and, in view of the provisions of Section 1 of Chapter 69 of the Laws of 1912, I do not see how the school could properly incur any such debt. The Board of Trustees might, individually, borrow money for absolutely necessary expenses, trusting to the legislature to protect them, but that section of the statute forbids their doing anything which would create a liability against the state.

As you point out, that section permits the purchase of food and clothing for inmates on the credit of the state, but nothing else and {*136} there are many other necessary things for which provision should be made. It is reasonably certain that the legislature, unintentionally, failed to provide for such emergencies and will rectify the mistake at a very early day. In the meantime, to avoid even an appearance of any violation of the prohibitions in the statute, it might be possible for the members of the board or for citizens of the town of Springer to provide the money which you may need for such expenses without attempting to create any liability on the part of the state or of the board as a representative of the state. I have no doubt that the legislature will see that the persons who advance such money are reimbursed.

1912

12-972

12-973

12-971

12-970

12-969

12-967

12-966

12-965

12-962

12-961

12-960

12-959

12-958

12-957

12-963

12-956

12-952

12-955

12-954

12-953

12-951

12-950

12-1125

12-968

12-949

12-948

12-947

12-946

12-945

12-944

12-942

12-943

12-941

12-940

12-939

12-938

12-937

12-936

12-935

12-934

12-933

12-932

12-931

12-930

12-928

12-927

12-928 1/2

12-926

12-925

12-924

12-923

12-922

12-921

12-919

12-918

12-917

12-916

12-915

12-914

12-913

12-912

12-911

12-910

12-920

12-909

12-907

12-905

12-904

12-901

12-900

12-899

12-898

12-897

12-896

12-894

12-893

12-892

12-891

12-890

12-889

12-876

12-888

12-887

12-886

12-885

12-883

12-882

12-880

12-879

12-878

12-877

12-875

12-873

12-872

12-871

12-870 1/2

12-870

12-869