

Opinion No. 14-1208

April 27, 1914

BY: IRA L. GRIMSHAW, Assistant Attorney General

TO: Al Coleman, Esq., Inspector of Weights and Measures, Albuquerque, New Mexico.

SLOT WEIGHING MACHINE.

A slot weighing machine not subject to inspection by public weigh-master.

OPINION

{*69} We have your letter of the 24th inst., asking our opinion as to whether or not the law authorizes you to inspect nickel and penny slot weighing machines in your county and charge a fee therefor.

Chap. 82 of the laws of 1913 makes it the duty of the Inspector and Public Weigh-Master to inspect and test all scales used by any and all merchants or persons engaged in the business of buying and selling commodities. Also the inspection of warehouse scales.

Sec. 11 of the act permits you to charge certain fees for the inspection of particular scales. However, the fees mentioned in that section refer only to warehouse scales and scales used by merchants or persons engaged in the business of buying and selling commodities. The legislative intention, as gathered from Chap. 82, is that there should be an inspector of scales used for weighing commodities, both in the buying and selling thereof. We, therefore, conclude that a slot weighing machine is not such a device as is included within the words and meaning of Chap. 82 of the laws of 1913.