

Opinion No. 16-1823

June 12, 1916

BY: FRANK W. CLANCY, Attorney General

TO: Carrizozo Outlook, Carrizozo, New Mexico.

Cost of printing dockets for district payable out of court fund.

OPINION

{*387} I have received your letter of the 9th instant asking whether or not Section 1026 of the Compiled Laws of 1897, relating to the printing of court dockets, is still in force and if not, when it was repealed.

That section, I believe, has never been specifically repealed, but its omission from the Codification of last year operates as a repeal, as you will see by reference to the "Repealing and Saving Clause," which will be found on page 1665 of the Codification. There you will find a general provision that all acts and parts of acts of a general and permanent nature not contained in the Codification are repealed. That section merely provides that each county shall pay for the printing of the calendar of the district court for such {*388} county, and that the calendar of the Supreme Court shall be paid for by the territory, with a limit as to the amount which could be paid. The codifiers probably omitted it from the Codification because of the creation, by an act of 1893, which reappears as Section 1369 of the Codification, of a court fund in each county for the district courts, from which, under the direction of the court, all court expenses were to be paid, and also on account of the fact that as to the Supreme Court, provision is made by direct appropriation for all such expenses.