

**Opinion No. 21-2886**

April 2, 1921

**BY:** HARRY S. BOWMAN, Attorney General

**TO:** Honorable John V. Conway, State Superintendent of Public Instruction, Santa Fe, New Mexico.

**Disposition Bonded Indebtedness in School District Consolidated in Contiguous Counties.**

**OPINION**

{\*39} In reply to an oral request from Mr. Douglas for an opinion regarding the disposition to be made of the bonds of school districts in contiguous counties when such districts have been consolidated into one district, I would say:

The provisions for the consolidation of rural school districts, where the districts are situated in two or more counties, are contained in Chapter 14, Laws 1919.

There is nothing in the act which expressly or impliedly transfers to the new district the indebtedness or obligation of the fractions of the district as they formerly existed.

In order for the newly consolidated district to be obligated to assume such indebtedness, a statutory provision would be necessary, and in the absence of such specific statute, I am of the opinion that the consolidated district does not assume the bonded indebtedness of the former fractions that make up the new district.