

Opinion No. 23-3711

June 14, 1923

BY: MILTON J. HELMICK, Attorney General

TO: Requested by: Capitol Addition Commission, Santa Fe, New Mexico.

Debentures Issued by the Capitol Addition Commission may be Multigraphed and Need Not be Printed.

OPINION

{*64} This inquiry arises upon the question of whether debentures which the commission is authorized to issue under the provisions of Chapter 81 of the Laws of 1921, may be made on a multigraph machine or whether it is necessary to have the same printed in the ordinary way.

I find nothing in the law which requires that the debentures have to be printed in any particular way, except that they must bear the engraved or lithographed fac simile signature of the State Treasurer. It is proposed in the interest of economy and because only a few debentures are necessary, to make the same in the usual form on a multigraphing machine. I can see no legal objection to this proposal. The law does not require the debentures to be printed, and I think that there can be no objection if they are multigraphed. The courts have uniformly held that typewriting is printing within the meaning of various laws requiring printed notices, and the like. One of these cases is State v. Oakland, 69 Kan. 784. I also find that a multigraph is defined by the "Winston Simplified Dictionary" by Lewis, "a machine that both sets type and prints." This seems to be an adequate definition and it logically follows that the product of such a machine would be printed matter. Although the statute requires the lithographed fac simile signature of the State Treasurer, it is obvious that his actual signature on the debentures will satisfy the requirement of the law.

From the foregoing, I conclude that there is no legal objection to making the proposed debentures on the multigraphing machine.