

Opinion No. 43-4378

September 8, 1943

BY: EDWARD P. CHASE, Attorney General

TO: Mr. R. L. Ormsbee, State Purchasing Agent, Santa Fe, New Mexico

We have your letter of September 3, 1943, requesting an opinion of this office concerning whether Chapter 124 of the Laws of 1943, known as the "State Purchasing Act", intended to have the State Purchasing Agent handle the purchase of insurance and bonds as well as other purchases and contracts.

Section 1 of this act provides in part as follows:

"The word 'supplies' as used in this Act shall mean supplies, material, machinery, equipment, furniture, printing, and all articles **and things** used by any department, in the exercise of any governmental activity or function."

The question arises as to whether the phrase "and things" should be construed according to the rule of ejusdem generis. From a reading of the act, it would appear that the adding of the words "and things" was intended to extend the already broad definition of supplies, and therefore, in my opinion, the rule therein does not apply.

Webster's New International Dictionary defines the word "things" to mean:

"Whatever exists, or is conceived to exist, as a separate entity, or as a distinct and individual quality, fact, or idea; any separable or distinguishable object of thought; anything at all; as, there is a name for every 'thing.'"

"Whatever may be possessed or owned, or be the object of a right; -- distinguished from 'person.'"

"Now corporeal **things** are obviously what we have called the 'objects' of the right; incorporeal **things** are the advantages which the person entitled can insist upon; in other words, the acts or forbearances to which he is entitled."

It is, therefore, my opinion, in view of this definition, that the phrase "and things" would cover insurance, bonds and other similar contracts.

Hoping that the above fully answers your questions, I remain

By HARRY L. BIGBEE,

Assistant Attorney General