

Opinion No. 46-4850

February 4, 1946

BY: C. C. McCULLOH, Attorney General

TO: Mr. C. R. Sebastian State Comptroller Santa Fe, New Mexico

{*184} We are in receipt of your letter of January 29, 1946, in which you ask the following question:

"A request has been made regarding the rights a taxpayer or utility customer might exercise in connection with the expenditure of the proceeds of a revenue bond issue, even though the funds were to be or were expended entirely in accordance with the law and the ordinance authorizing the said bond issue."

It appears to me that the question answers itself. If the funds from the bond issue are expended entirely in accordance with the law, no person could successfully maintain an action to enjoin the use of the funds for such purpose.

By ROBERT W. WARD,

Asst. Atty. General