

**Opinion No. 20-2480**

February 7, 1920

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

**TO:** General James Baca, Adjutant General, Captiol Building, Santa Fe, New Mexico.

State Adopted National Defense Act.

**OPINION**

Replying to your oral inquiry accompanied by a letter from Colonel F. O. Johnson, Fort Sam Houston, Texas, regarding pay for armory drill for militia units, and referring especially to Section 110, National Defense Act, which is a part of an act for making further and more effectual provision for the National Defense, and for other purposes, approved June 3rd, 1916, we would advise you as follows:

Your inquiry involves the construction to be placed upon Section I, Chapter IV, Laws 1917, wherein this section provides that the State of New Mexico will observe and comply with all the requirements of the above mentioned Act of Congress, and whether the language used is sufficient to assure the National Government that the State of New Mexico will comply with that part of Section 110 of the National Defense Act contained in paragraph three thereof.

In our opinion the language of Section 1, Chapter IV, Laws of 1917 wherein it is provided that the "State of New Mexico will observe and comply with all the requirements of said act" is sufficiently broad to bind the State of New Mexico to a strict observance and compliance with the said provision of the Act of Congress, and that therefore, you will be justified in advising Colonel Johnson that the State Legislature has taken the action contemplated in said Section 110 National Defense Act.

We are returning to you herewith Colonel Johnson's letter, also the copy of the National Defense Act submitted with your inquiry.