

Opinion No. 21-3016

June 20, 1921

BY: HARRY S. BOWMAN, Attorney General

TO: Mr. John V. Conway, Superintendent of Public Instruction, Santa Fe, New Mexico.

Transfer of Money From General School to Institute Fund.

OPINION

{*68} I have before me a letter from Mr. Canuto Trujillo, County Superintendent of Rio Arriba County, addressed to Hon. Reed Holloman, and his letter addressed to you, in regard to the transfer of funds from the General School Fund of that county to the Institute Fund, and advising that the County Treasurer refuses to make such transfer until he has been authorized so to do by the District Attorney or the Attorney General.

{*69} Enclosed with the letter is a copy of a letter from Mr. John Joerns, State Educational Auditor, regarding the order in which school warrants must be paid.

Section 4813, Code 1915, provides in the third paragraph thereof that for the purpose of meeting the expenses of the county teachers' institutes in the various classes of counties, the county treasurers should set apart certain sums of money for state institutes.

We are of the opinion that this is a specific authority requiring the county treasurers to make the transfer of the moneys to the institute fund, and that they would be required to make such transfer in order to meet the expenses of the institute.

We are returning to you herewith the three letters above mentioned.