

Opinion No. 31-10

January 14, 1931

BY: E. K. Neumann, Attorney General

TO: Col. Osborne C. Wood, Adjutant General, Santa Fe, New Mexico

{*23} We have yours of even date, in which you request the opinion of this office as to whether or not you may legally pay a bill of \$ 21.00 for a basketball to be used by the Quartermasters detachment State Staff Corps Department, N.M. N. G., said bill having been O. K.'d by the former Adjutant General.

We are unable, from an examination of the law, to find any authority for the payment of this bill. The 1929 legislature made an appropriation of \$ 7,500.00 for contingent funds, but, in our opinion, the article in question does not properly become chargeable to and payable from such contingent fund. We find no other fund, over which you have control, from which such payment can legally be made.

By: Frank H. Patton,

Asst. Att'y. General