

STATE UNIVERSITY:

Professor may not enter into  
contract in violation of  
Section 9654, R. S. 1929.

11-26  
November 26, 1935

Mr. Clair V. Mann  
Professor of Engineering Drawing  
School of Mines  
Rolla, Missouri



Dear Sir:

This Department is in receipt of your letter of November 25, requesting an opinion as to the following state of facts:

"Please read Section 9654 of Article 20, Chapter 57, of the Revised Statutes for 1929 and advise me whether I, as Professor of Engineering Drawing at Missouri School of Mines, a division of the University of Missouri, can agree to act as supervising and designing engineer, with status like that of Architect, on contract work covering the drilling of a deep well and the repair of certain buildings on the campus of the School of Mines at Rolla."

Section 9654 Revised Statutes Missouri 1929, provides as follows:

"If any member of the board of curators, president, professor, teacher or other officer or employe of the state university shall be directly or indirectly interested in any contract for furnishing supplies for said university or any of the departments thereof, or in any work to be done upon any of the buildings of said university or repairing of the same, or ornamenting the

grounds thereof or fencing the same, or if said curators, or any one of them, or the president or any professor, teacher or other officer or employe shall keep for sale or be interested in, directly or indirectly, the sale of any school furniture or apparatus, books, maps, charts or stationery used in said university or any department thereof, such person or persons shall be deemed guilty of a misdemeanor, and upon conviction be fined not less than two hundred dollars or imprisoned in the county jail where said offense is committed not less than three months, or by both such fine and imprisonment."

#### CONCLUSION

It is clear that it was the intention of the General Assembly of the State of Missouri that no member of the Board of Curators, president, professor, teacher or other officer or employee of the State University should be involved, directly or indirectly, in any contract involving the repairing of the buildings of said university, etc.

In view of this section of our statutes, it is our opinion therefore that you, as Professor of Engineering Drawing of the Missouri School of Mines, may not enter into any contract in the capacity of an architect, or otherwise, relating to the drilling of wells and the

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repairing of certain buildings on the campus of said  
School of Mines.

Respectfully submitted,

JOHN W. HOFFMAN, Jr.  
Assistant Attorney General

APPROVED:

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ROY MCKITTRICK  
Attorney General

JWH:LC