

APPROPRIATION - Eleemosynary may contract for inspection of boiler-
in connection with its institutions, same may be
paid from "Operation Fund".

July 31, 1936.

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Honorable W. Ed Jameson,
President, Board of Managers,
State Eleemosynary Institutions,
Jefferson City, Missouri.

Dear Sir:

This department is in receipt of your letter of
July 30th requesting an opinion, as follows:

"Will you please advise me if it will
be proper and legal for the Eleemosynary
Board to enter into a contract with the
Fidelity and Casualty Insurance Company
of New York for the purpose of inspect-
ing the boilers in the several institu-
tions under this board.

"The water we use in the boilers of these
institutions is highly impregnated with
chemicals that have a tendency to clog up
the tubes and valves in the boilers and
it is highly important that we have expert
inspection at regular intervals for both
the protection of the boilers and the
safety of the employees and inmates of
these institutions."

The appropriations made by the General Assembly for
the support of the eleemosynary institutions of the state for
the years 1935 and 1936 (Laws of Missouri, 1935, page 39,
et seq.) provide for each institution a fund denominated
"Operation", which said fund is to be expended for "general
expense, and material and supplies."

July 31, 1936.

Section 8574, R. S. Mo. 1929, provides in part as follows:

"The board of managers of the eleemosynary institutions shall have the care and control of the property, real and personal, owned by the state and used in connection with the several institutions, and the title to all real estate or personal property now owned by said eleemosynary institutions or by the state for their use or that may hereafter be purchased by, or donated to such institution, shall be vested in the board of managers for the use and benefit of said institution."

In view of the foregoing, it is the opinion of this department that the inspection of the boilers of the eleemosynary institutions of this state is a reasonable and necessary expense to the proper care and upkeep of said institutions, and that said expense may be paid from the Operation funds of the several institutions.

Respectfully submitted,

JOHN W. HOFFMAN, Jr.,
Assistant Attorney General.

APPROVED:

ROY McKITTRICK,
Attorney General.

JWH:HR