



February 19, 1964

Honorable Charles G. Hyler
Prosecuting Attorney
St. Francois County
Farmington, Missouri

Dear Mr. Hyler:

This letter is in answer to your recent request for an opinion as to whether the St. Francois County Court may obtain a private loan to match a government grant to build a new county jail without a vote of the residents of the county. Enclosed herewith are copies of two opinions rendered on August 7, 1953, to the Honorable Edgar Mayfield, Prosecuting Attorney of Laclede County and on November 13, 1936, to the Honorable A. P. Kidder, Presiding Judge of the Nodaway County Court.

For the reasons stated therein, it is our opinion that the court may not obtain a loan if it would create a debt against the county revenues in excess of the revenues on hand and the reasonably anticipated revenues for the year other than by a bond issue which must be approved by two-thirds of the qualified electors of the county. See Sections 108.010 - 108.350, RSMo 1959.

For your additional information, we have also enclosed opinions given on September 29, 1955, to the Honorable Robert L. Lamar, Prosecuting Attorney, Texas County and on October 31, 1960, to the Honorable J.W. Cooley, Prosecuting Attorney of Dade County.

Very truly yours,

THOMAS F. EAGLETON
Attorney General

JHD:kd
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