

July 29, 1937.

Hon. W. A. Brown
State Examiner
The Capitol

Dear Mr. Brown:

You have submitted the following:

"Your opinion is desired relative to whether or not the provisions of Section 5069, R. C. M. 1935, would be violated if an owner and publisher of a newspaper, who is also a town councilman, would supply or sell the town its necessary printing supplies and legal publications and receive pay therefor."

It is my opinion that this question should be answered in the affirmative. The facts in your request are rather meagerly stated, and this opinion is written with the reservation that possibly some specific fact which has not been stated might alter our opinion, but, speaking generally, my opinion is as above stated.

In this connection I call your attention to the following opinions rendered by this office on similar questions: Volume 16, Opinions of the Attorney General, No. 166, p. 169; Opinion No. 133, Volume 15, p. 101, Id., and Opinion No. 183, Volume 15, p. 131, Id.

Opinion No. 125.

**Municipal Corporations—Cities and
Towns—Mayor and Council-
men—Interest in Con-
tract Forbidden.**

HELD: The owner and publisher of a newspaper may not enter into a contract with the city or town council of which he is a member for the furnishing of supplies and legal publications.