

HON. G.J. KENNY, *District Attorney, Fallon, Nevada.*

DEAR SIR: The law of this State is in a strange and anomalous situation relative to an officer or officers of a corporation drawing checks in the name of a corporation on a bank, or some other institution or person, when said corporation is without funds in the possession of the drawee to pay said checks.

The Act, as it originally stood and as it was amended (Stats. 1917, p. 10), absolutely fails to include within its provisions such officer or officers of a corporation. It seems that, as the law exists, a person who desires to draw bills, notes, checks, or other instruments in writing for the payment of money or the delivery of other valuable property, directed to or drawn upon any real or fictitious person, bank, firm, partnership, or corporation when there is not money, property, or credit in the possession of the drawee to pay the amount specified in the paper, may escape criminal responsibility by incorporating and operating in the name of a corporation rather than in his personal name.

I have endeavored to find some law that would cover the situation, but I am satisfied that the Legislature has absolutely failed to enact any measure that makes criminal such acts of an officer or officers of a corporation. It is a serious defect in the law, but we are powerless to supplement legislative Acts.

I beg to remain

Very truly yours,  
L.B. FOWLER, *Attorney-General.*

**168. Elections—Residence—Student at University of Learning Does Not Lose Legal Residence—Has Legal Right to Change Same.**

CARSON CITY, August 25, 1920.

MR. GARDNER WOOD, *San Francisco, Calif.*

DEAR SIR: The law of this State provides that no person shall be deemed to have gained or lost a residence while a student at any university of learning.

My construction of the law in this respect is that, while such a student is not deemed to have lost a residence, he still has the right to assert claim to a different residence. If he, therefore, registers at a place where he is attending school, it will be recognized as valid under the laws of this State.

I beg to remain

Very truly yours,  
L.B. FOWLER, *Attorney-General.*

**169. State Rabies Commission—Conflicting Appropriating Statutes—Later Controls.**

CARSON CITY, August 27, 1920.

*State Rabies Commission, Reno, Nevada.*

DEAR SIR: We have your inquiry, calling for an official opinion, propounded as follows: "The point at issue \* \* \* is whether chapter 29, Statutes of Nevada for 1919, making a definite appropriation of \$35,000 a year for the biennium governs, or whether chapter 244, Statutes of