

May 27th, 1933.

Dr. J.R. Moore, Supt.,  
Arizona State Hospital,  
Phoenix, Arizona.

Dear Sir:

This will acknowledge receipt of your letter of May 25th, in which you seek the opinion of the Attorney General upon a question which I will restate as follows:

"Where a person is committed to the State Hospital for the Insane, and money is taken from him by the attendant officers, for safe keeping, etc., may such money be used for purchasing clothing for that person?"

Section 2935, R. C. A. 1928, expressly provides that a patient, when leaving the Hospital, shall have returned to him everything of value taken from him when entering, etc.: In view of this section, it is clear that the law does not contemplate that a patient's money shall be used for any purpose. Furthermore, other sections of the Code provide for trustees to be appointed by the court, to take possession of an insane person's property, etc. (See Sections 1771 and 2934).

Therefore, I am of the opinion that you cannot legally use a patient's money, which was found in his possession when he was committed, for purchasing clothing for him.

Very truly yours,

Attorney General

PHB:H

Assistant Attorney General.

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