

**Opinion No. 14-1406**

December 30, 1914

**BY:** H. S. CLANCY, Assistant Attorney General

**TO:** Honorable Antonia Lucero, Secretary of State, Santa Fe, New Mexico.

**BONDS.**

Amount of bonds required of treasurers of state institutions.

**OPINION**

{\*266} Replying to your letter of the 29th instant inquiring as to the amount of bond required of the treasurer of every state institution, its approval and where the same should be filed, I refer you to the laws upon that subject which are as follows:

**CATTLE SANITARY BOARD.**

Sec. 217, C. L. 1897. Secretary shall give bond in sum of \$ 5000.00 to be approved by board, conditioned for the faithful performance of his duties. There does not appear to be any statute requiring a bond of a treasurer, nor is there any provision for the appointment of one.

**SHEEP SANITARY BOARD.**

Sec. 22, Chap. 33, Laws of 1899. Secretary shall give bond of not less than \$ 1000.00 conditioned for the faithful performance of his duties under the laws and the rules and regulations of the board. Section 23, of the same act, provides that no moneys shall be paid out of the sheep sanitary fund unless such payment has been authorized by a majority of the members of the board. There is no law authorizing the appointment or election of a treasurer.

**UNIVERSITY OF NEW MEXICO.**

Sec. 3574, C. L. 1897. Secretary and treasurer shall execute a bond in the sum of not less than \$ 20,000.00 to be approved by the governor and filed with the secretary of state.

**COLLEGE OF AGRICULTURE AND MECHANIC ARTS.**

No legislation whatever as to treasurer.

**NEW MEXICO NORMAL UNIVERSITY, LAS VEGAS.**

Sec. 3653, C. L. 1897. Secretary and treasurer shall execute a bond of not less than \$ 20,000.00 to be approved by the governor and filed with the secretary of state.

{\*267} NEW MEXICO NORMAL SCHOOL, SILVER CITY.

Sec. 3653, C. L. 1897. Same provision as for Normal University.

SPANISH AMERICAN NORMAL SCHOOL.

Sec. 6, Chap. 2, Laws of 1903. Secretary and treasurer shall give bond in sum of \$ 10,000.00, which, "after approval, shall be filed in the office of the territorial secretary."

DEAF AND DUMB ASYLUM.

Sec. 6, Chap. 2, Laws of 1903. Same provision as for Spanish American Normal School.

REFORM SCHOOL.

Sec. 6, Chap. 2, Laws of 1903. Same provision as for Spanish American Normal School.

INSTITUTE FOR THE BLIND.

Sec. 6, Chap. 2, Laws of 1903. Same provision as for Spanish American Normal School.

MINERS' HOSPITAL.

Sec. 6, Chap. 2, Laws of 1903. Same provision as for Spanish American Normal School.

NEW MEXICO SCHOOL OF MINES.

Sec. 3595, C. L. 1897. Treasurer shall give bonds in the sum of \$ 10,000.00 in manner provided by Section 3574, C. L. 1897, the same as treasurer of University. Bond approved by governor and filed with secretary.

NEW MEXICO MILITARY INSTITUTE.

Sec. 3662, C. L. 1897. A treasurer is to be elected by the board of regents, but there does not appear to be any legislation requiring him to furnish a bond.

PENITENTIARY.

Sec. 3492, C. L. 1897. State treasurer is ex-officio treasurer of the penitentiary board. Section 3497 requires the superintendent of the penitentiary to execute bond in sum of \$ 10,000.00 to be approved by the chief justice, or any associate justice of the state, and filed with the secretary.

#### MUSEUM OF NEW MEXICO.

Sec. 4, Chap. 4, Laws of 1909. Secretary and treasurer shall execute bond in the sum of not less than \$ 5000.00 to be approved by secretary of state and by him deposited for safe keeping.

#### {\*268} INSANE ASYLUM.

Sec. 3611, C. L. 1897. Treasurer required to give bond of \$ 20,000.00 in the same manner as provided by Section 3574, (University of New Mexico). Approved and filed in the same manner.