

**Opinion No. 15-1695**

December 4, 1915

**BY:** FRANK W. CLANCY, Attorney General

**TO:** State Bank Examiner, Santa Fe, New Mexico.

**Transfer of charter of a savings bank from one place to another.**

**OPINION**

{\*265} I have before me the letter from your assistant dated the second of December, enclosing another from J. E. Love of Melrose, New Mexico and asking my opinion as to the question raised by Mr. Love's letter. Mr. Love asks you to advise him as to whether or not the charter of a bank can be transferred from one place to another, or in other words, whether or not the charter for the Savings Bank of Melrose can be transferred to Clovis, New Mexico.

Section 914 of the codification of the statutes provides that every corporation organized under the article of the statutes of which that section is a part, may change its name and change the location of its principal office in this state by means of an amendment to be made in the manner prescribed in that section, while Section 1014, which is a part of the same article, declares that the provisions of the article shall be held applicable to corporations incorporated under an act entitled "An Act in Relation to Banks and Banking," approved April 3, 1884, and also an act entitled "An Act Providing for the Organization of Saving Bank and Trust Associations," approved February 17, 1887, and all acts amendatory or supplementary thereto. I must assume that the bank about which Mr. Love writes was incorporated under one or the other of the acts above mentioned, and therefore, under Section 914 he can make the change which he desires. I recommend that he should change the name of his bank at the same time that he makes the amendment changing its place of business.

I return his letter herewith.