

**Opinion No. 16-1902**

November 23, 1916

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

**TO:** W. H. Sippel, Deputy Treasurer, Bernalillo County, Albuquerque, N. M.

**Payment of premium on surety company bond for a deputy county treasurer.**

**OPINION**

{\*444} I am in receipt of your letter of the 21st instant in which you ask whether the county would be authorized to pay the premium on a surety company bond given by a deputy treasurer.

Sec. 16 of Chapter 12 of the Laws of 1915, provides that where any county officer is required to give a bond, the premium thereon shall be paid out of the county salary fund, and Section 2 of the same act provides for the salary or salaries of deputies for the county treasurer, but there does not appear to be any legislation requiring the giving of a bond by a deputy treasurer. Sec. 1279 of the Codification of 1915 requires that the treasurer shall enter into a bond to the county, but as before stated, the law does not contemplate that a deputy treasurer should furnish a bond. However, I believe that county commissioners would be justified in paying the premium on a deputy treasurer's bond under the power granted to them by Sec. 1201 of the Codification, which vests them with the power to represent the county and have the care of the county property and the management of the interest of the county in all cases where no other provision is made by law.