

## Opinion No. 18-2073

January 4, 1918

**BY:** C. A. HATCH, Assistant Attorney General

**TO:** Honorable A. G. Whittier, State Traveling Auditor, Santa Fe, New Mexico.

Annual Bond Not Necessary Where County Treasurer Gives a Term Bond.

### OPINION

We have your favor of January 3rd wherein you ask whether the bond given by County Treasurers, as provided by Chapter 57 of the Laws of 1915, is required to be given annually, or only at the beginning of the term for which the Treasurer may be elected.

By the statutes of this State County Treasurers are required to furnish a bond conditioned upon the faithful performance of their duties as Treasurer. Section 17, Chapter 57, Laws of 1915, provides that the bond required to be given shall be in a sum equal to thirty-five per cent. of the receipts of the office during the preceding fiscal year. This might lead to the belief that a new bond should be given each year, based upon the receipts for the preceding year. By reference to Section 18 of the same chapter, it will be seen from the form of bond therein given is conditioned that the Treasurer shall faithfully perform the duties during the term of office, and until his successor is elected and qualified. This, together with the fact that no definite statement is made anywhere in the statutes requiring a bond each year, leads us to the belief that it was the intention of the lawmakers to require that the Treasurer give a bond at the time of taking his office, based upon the receipts of the office during the preceding fiscal year, and that such bond should be for the entire term; and that, therefore, it is not required to give a new bond each year. Of course if any of the Treasurers have given a bond for but one year and it is limited to such time, then such Treasurer must give a new bond for the remaining portion of his term. But, if the bonds are conditioned as per the form set forth in Section 18, no new bond is required.

### 1917

17-2072

17-2071

17-2070

17-2068

17-2066

17-2065

17-2063

17-2062

17-2061

17-2058

17-2055

17-2054

17-2053

17-2052

17-2051

17-2050

17-2049

17-2048

17-2046

17-2045 1/2

17-2045

17-2044

17-2043 1/2

17-2043

17-2041

17-2040

17-2039

17-2038

17-2037

17-2042

17-2035

17-2033

17-2034

17-2032

17-2028

17-2029

17-2027

17-2024

17-2022

17-2021

17-2018

17-2017

17-2015

17-2015

17-2012

17-2013

17-2011

17-2010

17-2007

17-2006

17-2008

17-2002

17-2001

17-1999

17-1995

17-2000

17-1994

17-1993

17-1989

17-1988

17-1987

17-1986

17-1985

17-1984

17-1983

17-1982

17-1978

17-1977

17-1976

17-1974

17-1973

17-1972

17-1970

17-1967

17-1966

17-1965

17-1962

17-1958

17-1957

17-1949

17-1948

17-1944

17-1943

17-1940

17-1939

17-1938

17-1936

17-1934

17-1930

17-1929

17-1827

17-1926

17-1919

17-1912

17-1911

17-1910