

State Examiner, Powers of. Powers, of State Examiner to Compel Payment of Interest on County Bonds. County Treasurers.

The state examiner has no authority to compel a county treasurer to forward money to New York in payment of interest on county bonds.

January 10th, 1914.

Hon. H. S. Magraw,
State Examiner,
Helena, Montana.

Dear Sir:

I am in receipt of your oral request for an opinion in regard to your authority to compel a county treasurer to forward money for the payment of interest on county bonds to New York City. I have examined the law relating to your powers and duties, and am of the opinion that there is no provision in our codes conferring upon you the power to coerce the county treasurer in such a matter. In other words, I think that this would not come under the term "regulation" prescribed by the state examiner, as authorized by paragraph 2 of Sec. 209, Revised Codes of Montana. It must be considered more as a matter between the county and the bond holders, for which there is an appropriate remedy in the courts of law.

Yours very truly,

D. M. KELLY,
Attorney General.