

Opinion No. 95.**Justice of the Peace—Official Bond—
Premium—Liability for Counties.**

HELD: Chapter 45, Laws of 1935, authorizes the county to pay the premiums on surety bonds of Justices of the Peace, but it is not retroactive.

May 4, 1935.

Mr. L. D. Glenn
County Attorney
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You have inquired whether under the provisions of Chapter 45, Laws of 1935, the payment of the premium on a surety bond for a justice of the peace is an obligation of the county.

The Attorney General, in an opinion in Volume 10, Report and Official Opinions of Attorney General, page 266, held that a county is not required to pay the premium on a surety bond of a justice of the peace since the latter is not a county officer but a township officer, and Section 6236, R. C. M. 1921, was not broad enough to include township officers.

While said Chapter 45 broadens said Section 6236 to include township officers, it is not expressly retroactive. Section 3, Revised Codes, provides that no law is retroactive unless expressly so declared. Chapter 45, therefore, would not authorize payment of the premium on a surety bond furnished before the Act went into effect on February 20, 1935.