

COUNTY TREASURER: By reason of Sec. 12132a, Laws 1933, p. 338, office of county treasurer in counties of less than 40,000 inhabitants is abolished and from Jan. 1, 1937 duties of office will be carried on by County Collector.

May 29, 1936.



Hon. G.C. Beckham,  
Prosecuting Attorney,  
Crawford County,  
Steelville, Missouri.

Dear Sir:

This department is in receipt of your letter of May 26, requesting an opinion as to the following state of facts:

"Crawford County has a population of between 11 and 12 thousand, and is not under township organization. Mr. Schroeder's term of office as County Treasurer expires on the 31st day of December, 1936. He now wants to file for this same office again. I have advised him that, in my opinion, section 12132a of the session acts of 1933 eliminates his office, and that the duties of the treasurer will after January 1, 1937, be performed by the Collector.

"Mr. Schroeder does not seem to be satisfied with my construction of this statute, so I would like to have your opinion on the proposition."

Section 12132a, Laws of Missouri, 1933, p. 338 provides:

"On and after the expiration of the term of office of the county treasurer on the 31st day of December, 1936, in all counties of this state which now or hereafter have a population of less than 40,000 inhabitants according to the last decennial United States census and not under township organization, the county collector

shall take over all the duties now performed by the county treasurer and such collector shall be county collector and ex officio county treasurer and shall perform any and all duties now devolving upon the county collector and county treasurer. Such collector shall act as ex officio treasurer and perform the duties attached thereto with no additional remuneration other than such moneys as are allowed by law for his services as county collector, and he shall not be required to give any bond other than the bond given as county collector. All duties and obligations now imposed by law upon county treasurers in counties having a population of less than 40,000 inhabitants according to the last decennial United States census are hereby set over and made a part of the duties and obligations of the ex officio county treasurer as provided for in section 12132a."

#### CONCLUSION

In view of the fact that Crawford County has a population of less than 40,000 inhabitants, it is the opinion of this department that the office of County Treasurer has been abolished by reason of Section 12132a, supra, and the duties of that office will, from the 1st day of January, 1937, be carried out by the County Collector.

Respectfully submitted,

JOHN W. HOFFMAN, Jr.,  
Assistant Attorney General.

APPROVED:

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ROY McKITTRICK,  
Attorney General.

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