

Opinion No. 34-823

October 29, 1934

BY: E. K. NEUMANN, Attorney General

TO: Mr. Liberato Gabeldon, County Clerk, Los Lunas, New Mexico.

{*164} Mr. E. R. Baca was in my office today stating that you desire an opinion upon the question of the duty of the County Clerk with reference to placing the names of candidates upon the ballot where a vacancy has occurred after the ballots have been printed and before they have been delivered to the judges of the election.

Section 41-303 of the 1929 Code provides that in such cases the chairman and secretary of the County Central Committee of the party whose candidates have withdrawn, shall certify to the county clerk that vacancies exist in the offices named and that other candidates (naming them) have been selected to fill such vacancy. When this certificate is filed with the county clerk it is his duty to cause stickers with the names of the substituted candidates printed thereon to be pasted on the official ballots in the proper places.

By: QUINCY D. ADAMS,

Asst. Attorney General