

Opinion No. 36-1433

September 24, 1936

BY: FRANK H. PATTON, Attorney General

TO: Mr. Juan N. Vigil, State Comptroller, Santa Fe, New Mexico.

{*139} You have made inquiry under date of September 23rd as to {*140} whether the Village Board of Trustees of Wagon Mound may legally appoint one of its members to the position of Village Clerk.

Under the law the office of Clerk is an elective one but I assume that in this instance there is a vacancy which is to be filled.

It is my opinion, however, that the offices of Village Clerk and the Board of Trustees are incompatible and, therefore, the procedure mentioned by you should not be permitted.