

Opinion No. 15-1617

August 16, 1915

BY: FRANK W. CLANCY, Attorney General

TO: Mr. Edward D. Tittman, Hillsboro, N. M.

As to designation of an official county newspaper.

OPINION

{*188} I have just received your letter of the 14th inst. in which you say that you are informed that I recently gave an opinion to the effect that there is nothing in our laws providing for the designation {*189} of an official newspaper. The opinion to which you refer must be one which was written on June 30, 1915 to the Cimarron Publishing Company, of which I will enclose a copy herewith for your information. You will see by that letter that reference is made to Section 1234 of the new codification which is a reproduction of Section 4078 of the Compiled Laws of 1897, which by implication, gives the county commissioners authority to choose a county printer, which must be nearly, if not quite, the same thing as an official newspaper.

Section 2195 to which you call attention does not do more than recognize the possibility of county commissioners choosing an official paper for a county in which no newspaper is printed. There was on our statute books, a provision which will be found in Section 5 of Chapter 49 of the Laws of 1912 relating to the subject of publications, which distinctly declared that delinquent tax lists should be published in the official newspaper, but in the new codification that provision about delinquent tax lists is omitted from Section 4647. I assume that the codifiers thought that this was superseded by Section 34 of Chapter 84 of the Laws of 1913.

It appears to me, however, that Section 1234 sufficiently covers the designation of an official newspaper by its distinct indication of a power to choose a county printer who is to have all the county printing.