

ELECTIONS: ) Last day for candidates to file for August Primary  
PRIMARY: ( Election, 1934.

6-5.

June 1, 1934.



Hon. Paul H. Sanderson  
County Clerk  
Pike County  
Bowling Green, Missouri

Dear Mr. Sanderson:

We acknowledge receipt of your letter of May 29th, 1934, in which you request an opinion as to the last day in which candidates may file for office in the forthcoming primary election. Your letter is as follows:

"There seems to be some misunderstanding as to the last day in which candidates may file for office in the forthcoming primary.

"Will you please advise me by return mail the last day a candidate can file?"

Section 10254, R. S. Mo. 1929, provides as follows:

"The primary shall be held at the regular polling places in each precinct on the first Tuesday of August, 1910 and biennially thereafter, for the nomination of all candidates to be voted for at the next November election."

And, Section 10257, R. S. Mo. 1929, provides that,

"The name of no candidate shall be printed upon any official ballot at any primary

election, unless at least sixty days  
prior to such primary a written dec-  
laration shall have been filed by the  
candidate, \* \* \* \* \*

The general rule is, that where a statute requires that an act be performed a fixed number of days previous to a specified day, the last day should be excluded and the first day included in making the computation. The primary election will be held on Tuesday, August 7th, 1934. It will, therefore, be necessary for all candidates to have their declarations filed with the proper officials on or before midnight, June 8th, 1934.

Very truly yours,

COVELL R. HEWITT  
Assistant Attorney-General.

APPROVED:

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ROY McKITTRICK  
Attorney-General.

CRH:EG