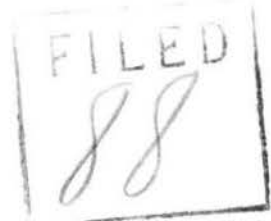


ELECTION: Publication of general election notice in  
two newspapers in each county.

October 1, 1936. 10-1

Mr. Geo. E. Tedrick  
Altamont, Missouri



Dear Sir:

This is to acknowledge your letter of September 28th, requesting this Department for an opinion. Your letter is as follows:

"I am writing you for a little information. In regard to publishing the General Election Notice isn't it possible publishing it two or more papers in our county, if all four editors, or whatever the number of editors are. In that way every voter in the county will get to read it, if in two papers only a small portion of the voters get to see it.

"Who care how many papers it is published in, the voters, every one of them are entitled to read the notice and of course every voter does not take the 'county seat' papers, but by publishing it in the 'little town' papers, then all voters would see it and they are entitled to see it.

"I just wondered if the editors of the various papers could do that."

We take it from the above that you desire to know whether or not the general election notices may be published in more than two papers in each county in the State.

Section 10249, R. S. Mo. 1929, pertaining to the notice referred to in your letter, provides as follows:

"At least seven days before an election to fill any public office, the clerk of the county court of each county shall cause to be published in two newspapers representing each of the two major political parties, if such there be, and if not, then in two newspapers, or if there be only one newspaper published within the county then in such newspaper, the nominations to office certified to him by the secretary of state, and also those filed in his office. He shall make two such publications in each of such newspapers before the election, one of which publications in each newspaper shall be upon the last day upon which such newspaper is issued before the election. Provided that no higher rates shall be paid per inch, than is provided by section 13773, chapter 114, R. S. 1929, as amended."

It will be seen from the above section that the "clerk of the county court of each county shall cause to be published in two newspapers representing each of the two major political parties within the county, if such there be, and if not, then in two newspapers, or if there be only one newspaper published within the county then in such newspaper." Which means, that in your county, if there is a Democratic and Republican newspaper, it must be published in both of them. In such case the law only requires the notice to be published in two newspapers in the county to be selected in accordance with the above section. While we can see no objection to publishing the notices in more than

Mr. Geo. E. Tedrick

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two newspapers, the county court would not be authorized under the law to pay for more than the publications in two newspapers.

Very truly yours,

COVELL R. HEWITT  
Assistant Attorney-General

APPROVED:

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JOHN W. HOFFMAN, Jr.,  
(Acting) Attorney-General

CRH:EG