

Opinion No. 41-3720

February 18, 1941

BY: EDWARD P. CHASE, Attorney General

TO: Mr. G. L. Benavidez County Clerk Socorro County Socorro, New Mexico

{*36} We are in receipt of a letter from Mr. R. R. Gibson, manager of the Veterans Administration in Albuquerque, New Mexico, wherein he states that some difficulty has arisen between your office and his department in procuring certified copies of marriage licenses without cost.

Section 87-117 of the New Mexico Statutes, annotated, 1929 Compilation, reads as follows, to-wit:

"Whenever any soldier shall request of the county clerk of any county a certificate copy of his marriage license, it shall be the duty of such county clerk to prepare and certify to such copy of {*37} the requested marriage license free of cost to the soldier, provided that the certified copy of said marriage license is to be used and filed with the veterans bureau of the United States in accordance with the regulations thereof."

In view of the foregoing statute, there is no question but what you, as county clerk, should issue certified copies of marriage licenses to veterans administration without charge in accordance with said section.

I am mailing a copy of this letter to Mr. Gibson and trust that this will be sufficient to amicably settle the difficulties, if any, between your office and the veterans administration.

By HOWARD F. HOUK,

Asst. Atty. Gen.