

**ELECTIONS:**

Special election under House Bill 514. Precinct and not wards to be used as voting places. Judges and clerks to be specially appointed for elections under House Bill number 514.

HC 514 Laws 33  
10571 RS Mo 1929

June 15, 1933



Board of Election Commissioners  
208 South Twelfth Boulevard  
St. Louis, Missouri

Gentlemen:

This Department acknowledges receipt of your letter dated June 13, 1933, with reference to House Bill Number 514.

Section 2 of House Bill number 514, as set out in the letter, for the particular election about which House Bill number 514 refers requires the appointment of two judges and two clerks who are in favor of the proposed amendment and two judges and two clerks who are opposed to the proposed amendment, all of whom being otherwise qualified.

We are of the opinion that it was the intention of the legislators that judges and clerks would be appointed specially for this election and the use of judges and clerks provided for in Section 10571 would not be permissible as it might be that the judges and clerks appointed under Section 10571 would not have all of the qualifications required in Section 2 of House Bill number 514.

We are of the opinion that wherever the machinery provides for carrying out the purposes of House Bill number 514 conflicts with the general election laws of the state, then the provisions of House Bill number 514 would prevail with reference to the election held as provided for in that bill.

The fact that it may be impossible or expensive to comply with the requirements of House Bill number 514 can not change its meanings nor requirements.

June 15, 1933

If you will again refer to letter of this Department to you dated May 24, 1933, you will see that we held the elections must be held by or in precincts and not by wards. We think the word precincts as used in House Bill number 514 has reference to the election precincts as established and existing at the time of the passage of the bill.

The use of wards in selecting delegates to senatorial meetings would be impractical because in many instances a ward would be in more than one senatorial district, whereas that fact will not be true as to election precincts.

Very truly yours,

GILBERT LAMB  
Assistant Attorney General, O

APPROVED:

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ROY McKITTRICK  
Attorney General.

GL:LC