

ROADS AND BRIDGES - Qualifications necessary for men employed by commissioners of special road districts incorporated under Article 9, Chapter 42, R. S. Mo. 1929.

2-4

January 25, 1935

Hon. Percy M. Brown,
Circuit Clerk, Saline County,
Marshall, Missouri.



Dear Sir:

A request for an opinion has been received from you under date of January 3, 1935, such request being in the following terms:

"May I have an opinion concerning the following question: 'Do provisions of Section 7870 as to eligibility of road overseers apply to men working under commissioners of Special Road District under Art. 9 of Chapter 42, R. S. Mo., 1929?' "

R. S. Missouri, 1929, Section 7870, dealing with the appointment, qualification and compensation of road overseers under Article 3 of Chapter 42 of such statutes, provides, as to the eligibility of persons for such office, as follows:

"No person shall be eligible to the office of road overseer, except he be a citizen of the road district for which he may be appointed, or of an incorporated town or village within the bounds of such district and be a practical road builder, or possessed of technical or scientific knowledge of such work (shall be over twenty-one and under sixty years of age and moreover be able to read and write)."

It is our opinion that this provision which we have quoted from Section 7870 applies only to road overseers appointed under such section, and could have no application to men working under commissioners of special road districts or-

2. Hon. Percy M. Brown,
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genized under Article 9 of such Chapter 42, such men not holding the office of road overseer, the fact that these men might do work substantially like that done by road overseers appointed under Section 7870 being immaterial.

Very truly yours,

EDWARD H. MILLER
Assistant Attorney General

APPROVED:

ROY McKITTRICK
Attorney General