

BOARD OF TRUSTEES: Woman may qualify as a member of the Board of Trustees of the Confederate Home of Missouri.

July 2, 1936.

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Mr. R. E. Stone, Supt.
Confederate Home of Missouri
Higginsville, Missouri

Dear Sir:

This will acknowledge receipt of your letter of June 18th, requesting an opinion which reads as follows:

"Would you be good enough to advise me confidentially whether or not the laws governing the management of this Home requires a woman on the Board of Trustees? Opinion seems to be considerably divided and I would like to have this point cleared."

Section 13928, Laws of 1933, p. 398, as amended contain the requirements for the qualifications of a member of the Board of Trustees of the Confederate Home of Missouri at Higginsville, Missouri. This Section reads in part as follows:

"The control and management of the confederate soldiers' home, located at Higginsville, shall be vested in the board of trustees, composed of five members, each of whom shall be a citizen of the state of Missouri and more than thirty years of age, and shall be a descendant of a soldier or a sailor who shall have served in the army or navy of the Confederate States of America, or of a person who shall have given aid to the Confederate States of America, all of whom shall be appointed by the governor, by and with the advice and consent of the senate.* * * *"

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The above requirements are:

- (1) "shall be a citizen of the State of Missouri"
- (2) "and more than thirty years of age,"
- (3) "shall be a descendent of a soldier or sailor who shall have served in the army or navy of the Confederate States of America,"

(1) A woman may be a citizen of the State of Missouri. Webster's New International Dictionary, second edition, defines "citizen" as follows:

"A member of a state; a person, native or naturalized, of either sex, who owes allegiance to a government, and is entitled to reciprocal protection from it;"

The Fourteenth Amendment, Section 1, of the United Constitution, defines "citizen" in this manner:

"All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside.
* * * *"

(2) Anyone may qualify under this provision who shall be more than thirty years of age.

(3) A woman must be a descendent of a soldier or sailor. Webster's New International Dictionary, second edition, defines a "descendent" in these words:

"One who descends, as offspring, however remotely;"

Mr. R. E. Stone

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Therefore, from the foregoing it is the opinion of this department that a woman may qualify as a member of the Board of Directors of the Confederate Home of Missouri, if capable of fulfilling the requirements of Section 13928, supra.

Respectfully submitted

OLLIVER W. NOLEN
Assistant Attorney General

APPROVED:

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

OWN: