

COUNTY COURT: Salary of deputy county clerk in county having population of 7,500 and less than 10,000 persons, not to exceed \$900.00 per year.

January 9, 1939



Honorable L. Cunningham, Jr.,
Prosecuting Attorney
Camden County
Camdenton, Missouri

Dear Sir:

This Department is in receipt of your letter of January 4th, wherein you make the following inquiry:

"The County Court of Camden County, Missouri has requested that I secure a ruling from your office concerning the maximum legal salary of a deputy county clerk in a county the size of Camden County. The last decennial census shows the population of Camden County to be 9,142.

"As I read Section 11811 of the Laws of Missouri for the year of 1933, at page 370 I find such maximum salary to be \$900 per year, but would appreciate the opinion of your office as to the matter."

We call your attention to the fact that Laws of 1933, page 370, Section 11811, was repealed by the 59th General Assembly and a new section enacted in lieu thereof, the pertinent part of which is as follows (Laws of Missouri, 1937, page 441):

"The clerks of the county courts of this State and their deputies and assistants shall receive for their services annually, to be paid out of the county treasury in monthly installments at the end of each month

Jan. 9, 1939

by warrant drawn by the county court upon the county treasury, the following sums: In counties having a population of less than 7,500 persons, the sum of \$1,000.00 for themselves and the sum of \$600.00 for deputies and assistants; in counties having a population of 7,500 and less than 10,000 persons, the sum of \$1,100.00 for themselves and the sum of \$900.00 for deputies and assistants;
* * *

You have stated in your letter that the population of Camden County is 9,142. Therefore, the salary of the clerk for counties of this population would come within the provision of Section 11811:

"in counties having a population of 7,500 and less than 10,000 persons, the sum of \$1,100 for themselves and the sum of \$900.00 for deputies and assistants."

You are therefore correct in stating that it is your opinion that the salary of the deputy clerk should not exceed \$900.00 per year.

We are enclosing copy of an opinion rendered by this Department on April 24, 1936 to Honorable Forrest Smith, State Auditor, relating to the employment of a stenographer for the office of prosecuting attorney, as was requested by you.

Yours very truly,

OLLIVER W. NOLEN
Assistant Attorney-General

APPROVED:

J. E. TAYLOR
(Acting) Attorney-General

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Enc.