

CORONER: The Coroner of the City of St. Louis can succeed himself.  
CITY OF  
ST. LOUIS:



October 16, 1951

10-17-51

Honorable Patrick E. Taylor  
Coroner, City of St. Louis  
St. Louis, Missouri

Dear Sir:

We have your recent letter in which you request an opinion of this department, which letter reads as follows:

"Can the Coroner of the City of St. Louis succeed himself under the new Constitution?"

The Constitution of Missouri in force prior to 1945, had a provision to the effect that a coroner should be eligible for only four years in any one period and thereby made it illegal for him to succeed himself. That constitutional provision was Section 10, Article IX of the Constitution, which existed prior to 1945, and reads as follows:

"There shall be elected by the qualified voters in each county on the first Tuesday next following the first Monday in November, A. D. 1908, and thereafter every four years, a sheriff and coroner. They shall serve for four years and until their successors be duly elected and qualified, unless sooner removed for malfeasance in office. Before entering on the duties of their office, they shall give security in the amount and in such manner as shall be prescribed by law, and shall be eligible only four years in any one period. Whenever a county shall be hereafter established, the governor shall appoint a sheriff and coroner therein, who shall continue in office until the next succeeding general election and until their successors shall be duly elected and qualified."

However, as you know, the Constitution of 1875 was completely superseded by the Constitution of 1945, which is now in effect, and the new Constitution does not contain a corresponding prohibition

Hon. Patrick E. Taylor

against the coroner succeeding himself in office. We have also thoroughly examined the existing statutes and find no provision which would prohibit the coroner from succeeding himself.

CONCLUSION

We are accordingly of the opinion that the coroner of the City of St. Louis can succeed himself under the new Constitution.

Respectfully submitted,

SAMUEL M. WATSON  
Assistant Attorney General

APPROVED:



J. E. TAYLOR  
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