

COMMITTEEMAN:  
COMMITTEEWOMAN:  
VOTERS:  
REWARDS:

A township committeeman or committeewoman who accepts an award of money for inducing any other person or persons to vote in any election is guilty of a misdemeanor and can be punished by imprisonment in the county jail for not less than one month nor more than one year, and the accepting of such an award for doing such acts is illegal.



October 24, 1955

Honorable Gordon S. Summers  
Representative, Crawford County  
Bourbon, Missouri

Dear Sir:

Your request for an opinion reads as follows:

"I am enclosing a copy of the October 6, 1955 edition of the Crawford Mirror which contains a story of an award of one hundred dollars presented to the Republican Committeeman and Committeewoman for getting out the greatest percentage of voters in their township during the General Election, 1954.

"Is this legal? Rumor also has it that the Republicans in Crawford County are going to give other awards for getting out the votes in the coming election.

"I would like to know if there is a violation of law relative to the above.

"Trusting that everything is going well with you and your staff, I remain, \* \*"

The first paragraph of the newspaper account of this reward states as follows:

"Previous to the election in November of 1954, Mr. A. D. Welsh offered a prize of \$100.00 to the committeeman and committeewoman who would get to the polls the greatest percentage of voters in their respective township."

Honorable Gordon S. Summers

Section 120.750 through Section 120.840, have to do with party committees, committeemen and committeewomen of the state and the political subdivisions thereof. There is nowhere therein any provision that a township committeeman or committeewoman cannot legally accept an award for getting out the most voters in their township in the county, but paragraph two of Section 129.020, RSMo 1949, reads as follows:

"The following persons shall also be deemed guilty of bribery at elections, and shall be punished accordingly:

"(2) Every person who shall, after any election, directly or indirectly, by himself, or by any other person on his behalf, receive any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting at any election; and any person so offending shall be guilty of a misdemeanor, and shall be punished by imprisonment in the county jail not less than one month and not more than one year."

Thus, this section states that any person, whether a township committeeman or committeewoman, or private person, who receives any money on account of having induced any other person to vote shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail not less than one month nor more than one year. Under the facts presented by you and by the newspaper account of this award, if the Osage Township committeeman and committeewoman have induced other persons to vote in order to win this award and having accepted the award for so doing, then they would be guilty of violating this section and thus it is illegal for a committeeman or committeewoman to accept the award for having induced other persons to vote at any election.

#### CONCLUSION

A township committeeman or committeewoman, who accepts an award of money for inducing any other person or persons to vote in any election is guilty of a misdemeanor and can be punished by imprisonment in the county jail for not less than one month nor more than one year, and the accepting of such an award for doing such acts is illegal.

Honorable Gordon S. Summers

The foregoing opinion, which I hereby approve, was prepared by my assistant, Harold L. Volkmer.

Yours very truly,

John M. Dalton  
Attorney General

HLV:vlw