

October 1, 1962



Honorable Warren E. Hearnnes  
Secretary of State  
Capitol Building  
Jefferson City, Missouri

Dear Mr. Hearnnes:

This is in answer to your letter of August 10, 1962,  
requesting an opinion of this office on the following  
matters:

"Assuming the county court of a county has duly divided a city into wards as part of the county, democrat and republican committees allowing each ward to elect a committeeman and committeeewoman, said city being part of a township which is represented in the county committee by a committeeman and committeeewoman. Can a resident of a ward within the city vote for the candidate for the committee from his ward and also the township?"

"If the answer to the above is no, must separate ballots be printed for each ward and the township not in any of the wards listing only the names of the candidates eligible to be voted upon by the voters of the respective ward or township?"

Enclosed herewith is an opinion of this office written February 14, 1952, to the Hon. Robert G. Kirkland, Prosecuting Attorney of Clay County, Missouri. In this opinion, among other things, we concluded that when a city is located within a township

and each is entitled to a committeeman and a committeewoman, the committee members from the township may be voted upon only by the voters of the township residing outside the city. The reverse is also true. The residents of the township living within the city may vote only for those committee members from the city or the various wards, if the city has been divided into wards. The statute under which this opinion was written has not been changed, nor have any decisions of the courts caused us to revise this opinion. It would certainly be unreasonable to hold the Legislature would intend a voter, living in a city which is a part of a township, to be able to elect a committee member from his ward in the city and also the township.

In answer to your second question, as each voter may vote only for committee members from his township or ward, separate ballots must be printed for the voters of each ward and of the township, not in any of the wards, listing only the names of the committee candidates eligible to be voted upon by the voters of the respective ward or township.

Yours very truly,

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THOMAS F. EAGLETON  
Attorney General

JHD: sr

Enclosure