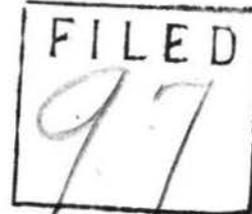


PRIVATE CORPORATIONS: Subject to prosecution for violations of the criminal law.

9/4

September 4, 1937.



Honorable Bryan A. Williams
Prosecuting Attorney
Bollinger County
Marble Hill, Missouri

Dear Sir:

We have your request of August 26, 1937, for an opinion, which reads as follows:

"Advise at once, if we can legally raid a private club, chartered by the State, off a State or National Highway, where members pay dues, and public not permitted. Will act as soon as you advise can be done."

I know of no law of this State which removes a private club or any other organization from the operation of the criminal laws. They are as amenable to the criminal laws as individuals.

The proper method to get service on a corporation charged with the violation of some criminal statute, is to have a copy of the information and indictment served on the proper officer of the corporation.

14 C. J. 878;
7 R. C. L. 771;
State v. White 96 Mo. Ap. 34.

An officer of the corporation is criminally liable for any criminal act of the corporation of which he has knowledge of its commission, prior to the commission thereof.

14 C. J. 244;
State v. Parsons and Harris, 12 Mo. Ao. 205;
State v. Yocum, 206 S. W. 236.

Hon. B. A. Williams

-2-

September 4, 1937.

It is, therefore, the opinion of this office that private clubs or corporations are subject to prosecution for violations of the criminal law.

Respectfully submitted

FRANKLIN E. REAGAN
Assistant Attorney
General.

APPROVED:

J. E. TAYLOR
(Acting) Attorney General.

FER:H