

Registration, of Women. Women, Registration Of. Registration, Closing of Books Of. Caucus Elections, Application of Registration To. School District Elections, Registration For. Bonds, School, election For. County Clerk, Authority to Correct Clerical Errors. Errors in Registration, Authority of County Clerk to Correct.

The general school elections being the only elections at which women are entitled to vote it would serve no useful

purpose for the registrar to enter their name upon precinct or municipal register.

As between Sec., 7 and 18, Chap. 113, Laws of 1911, in so far as they conflict, the provisions of Sec. 18 control.

Provisions of Chap. 113, Laws of 1911, do not apply to party caucus elections.

Provisions of Chap. 113, Laws of 1911, do not apply to school district bonding elections.

The county clerk has authority to correct mere clerical errors made by him in entering names upon precinct register.

December 28, 1911.

Mr. John Hurly,  
County Attorney,  
Glasgow, Montana.

Dear Sir:

I am in receipt of your letter of the 21st inst., in which you request my opinion upon the following questions relative to Chapter 113, Laws of 1911.

"Should the names of women who are registered be carried through all the registration books or is it sufficient that the name of women offering to register be entered only on the Great Register and the school district register?"

"Do the provisions of Sec. 7 or of Sec. 18, apply with reference to the time of closing of the election books prior to any school district election?"

"Do the provisions of this Act apply to party caucus elections?"

"Do the provisions of this Act apply to elections held in school districts for the purpose of voting bonds?"

"Has the county clerk authority to correct clerical errors made by him in entering names upon precinct or school registers?"

In reply to your first inquiry I will state that there is no different procedure or method pointed out in the act as to the entering of the names of women voters than that provided for male voters. However, in view of the fact that the only elections at which women are entitled to vote are school district elections that it would serve no useful purpose for the registrar to enter the names upon the precinct or municipal register.

With reference to your second inquiry will state that in an opinion rendered to the Board of County Commissioners of Lewis and Clark County, September 18th, 1911, we held that in view of the conflict between the provisions of Sec. 7 and Sec. 18 of said Chap. 113, relative to the time during which the registration books must be closed prior to an election, that the provisions of Sec. 18 would prevail. I enclose you herewith copy of said opinion.

The provisions of this act apply only to general elections, primary

nominating elections, municipal elections, general school elections and special county elections and for that reason it is my opinion that voters at a party caucus would not be required to be registered voters prior to such caucus, nor would it be necessary for the registration books of the county to be closed prior thereto.

The provisions of this act do not apply to special school elections held for the purpose of voting bonds for the erection of a school house. In this connection I enclose you herewith copy of an opinion rendered the County Commissioners of Musselshell county on October 31, 1911, relative to this question.

Under the provisions of this act it is the duty of the county clerk as such registry agent to enter the names of the electors offering to register in the Great Register and at the same time and in the presence of the applicant to enter the name in the proper precinct municipal or school register, and if a clerical error is made by such clerk in entering the names, it is my opinion that he may correct such clerical error in order that the entries in the precinct municipal and school register correspond with the entry in the Great Register.

In compliance with your request I am also enclosing you herewith copy of an opinion rendered December 16th, 1911, to H. R. Houghton relative to the right of the county clerk to require at the time of registering a naturalized citizen the exhibition of such citizen's naturalization papers.

Yours very truly,

ALBERT J. GALEN,

Attorney General.