

Clerk Of—School Board—Qualifications Of.

Only a qualified elector of school district is eligible for the office of Clerk of School Board.

May 20, 1919.

Mr. W. E. Keeley,
County Attorney,
Deer Lodge, Montana.

Dear Sir:

I have your letter of the 12th instant, relative to the qualifications of a school clerk, and in answer thereto, would refer you to the following provisions of the statute and constitution: Subdivision 10 of Section 502 of the Session Laws of 1913 provides:

“Every citizen of the United States who has resided in the State of Montana for one year and thirty days in the school district next preceding the election may vote thereat. Women of the age of twenty-one years and upwards who are citizens of the United States, and who have resided in the State of Montana one year and in the school district for thirty days next preceding the day of the election may vote thereat.”

Section 6 of Article 7 of the Constitution provides:

“No person shall be elected or appointed to any office in this State, civil or military, who is not a citizen of the United States and who shall not have resided in this State at least one year next before his election or appointment.”

Section 37 of the Revised Codes provides:

“Every elector is eligible to the office for which he is an elector except where otherwise provided.”

From the foregoing, it is apparent that only a qualified elector of the district is defined by this provision as eligible to the office of Clerk of the school board.

Respectfully,

S. C. FORD,

Attorney General.