

Elector—Registration—Notary Public.

An elector may not register before a notary public outside the boundaries of the county of his residence.

Dean King, Esq.,
County Attorney,
Kalispell, Montana.

My dear Mr. King:

You have requested an opinion of this office as to whether an elector may register before a Notary Public outside the boundaries of the county of his residence.

Section 555, Revised Codes of 1921, provides that any elector residing **within the county** may register by appearing before the County Clerk and ex-officio Registrar, etcetera, while Section 556 permits any elector residing more than ten miles from the office of the County Clerk to register before the Deputy Registrar within the precinct where such elector resides. As this section was formerly Section 9 of Chapter 122, Laws of 1915, while Section 555 was Section 8 of the same chapter, it is evident that the Legislature meant the precinct within the county of his residence.

Section 557 makes all Notaries Public and Justices of the Peace Deputy Registrars in the county in which they reside, with authority to register electors residing more than ten miles from the courthouse in any precinct **within the county**.

It is, therefore, my opinion that an elector may not register outside the boundaries of his county.

Very truly yours,

WELLINGTON D. RANKIN,
Attorney General.