

Secretary of State—Registry Book—Addressograph.

The form in which the register is to be kept, as provided by section 554 R. C. M. 1921, has reference to the contents rather than to the shape in which it appears upon the book.

William Powers, Esq.,
Secretary of State,
Helena, Montana.

July 28, 1927.

My dear Mr. Powers:

You have submitted to this office the question of what form the

registry books required to be kept by the clerk and recorder of the various counties for registering the names of electors must be in, within the meaning of section 554 R. C. M. 1921, which prescribes that "the registry book herein provided shall be in such form as shall be designated by the Secretary of State of the State of Montana."

The particular question which your inquiry has raised is whether the register may be kept in a form submitted to this office by you upon which the information is abbreviated and in compact form so that it can be written or printed in by the use of what is known as an addressograph.

While the word "form" is defined as "a shape around which an article is moulded, woven, or warped, the exterior shape or configuration of the body," it is also defined as a "conventional or stated scheme"; "an established method of expression or practice;" "a fixed way of proceeding." (Webster's Dictionary and 26 Corpus Juris, 982). It seems to me that it is in this latter sense that the word is used in our statute; that is, that the statute has reference to the substance rather than to the shape in which it is to be written out in the book and that if the secretary of state prescribes the substance of the matter which the register is required to show, that this would be in full compliance with the statutory provision and that the clerk could then use his discretion in the arrangement of this matter upon the register, and by so doing he could consolidate it into a form as illustrated by the addressograph form which you have submitted to this office.

In other words, if the clerk and recorder could consolidate the substance of the matter which the secretary required to be stated into a body, as it must be when an addressograph is used, that this would meet the requirements of the statute.

Very truly yours,

L. A. FOOT,
Attorney General.