Sections 613 and 614, and Section 618, as amended by Chapter 105, Laws of 1943, outline the procedure to be followed by one desiring to run as an independent candidate.

It is therefore my opinion a person defeated in the primary election may have his name printed on the ballot as an independent candidate by complying with the provisions of Chapter 64, Revised Codes of Montana, 1935, particular reference being made to Sections 613, 614 and 615, and Section 618, as amended by Chapter 105, Laws of 1943, certificate of nomination to be filed with the proper officer on or before August 6, 1946.

Sincerely yours,
R. V. BOTTOMLY,
Attorney General

Opinion No. 181.

Elections—Primary Election—Candidates, Independent—General Election.

Held: A person defeated in the primary election may have his name printed on the ballot as an independent candidate by complying with the provisions of Chapter 64, Revised Codes of Montana, 1935, particular reference being made to Sections 613, 614 and 615, and ISection 618, as amended by Chapter 105, Laws of 1943, certificate of nomination to be filed with the proper officer on or before August 6, 1946.

July 22, 1946.

Mr. Chester E. Onstad
County Attorney
Powder River County
Broadus, Montana

Dear Mr. Onstad:

You have submitted the following question to this office:

If a person is defeated in the primary election, may he have his name printed on the independent ballot for the same office or any other office?

Section 651, Revised Codes of Montana, 1935, provides in part:

". . . that in the event a candidate whose name has been printed upon the party ticket for which his nominating petition shall have been first filed shall fail of nomination upon the ticket upon which his name is so printed, his name shall not be printed upon any ballot under any party designation; and provided further that nothing in this act shall preclude any elector from having his name printed upon the ballot as an independent candidate . . ."

Section 615, Revised Codes of Montana, 1935, read in conjunction with