

Gambling, Pool Game Not. Pool Game, Not Gambling. Betting On Pool Game, Not Prohibited.

Betting on a pool game is not gambling within the meaning of the anti-gambling laws of this state, although it is possible that it might be done with reference to some phases of the game that would be violative of the anti-gambling statute.

November 26, 1912.

Hon. H. C. Packer,
County Attorney,
Hamilton, Montana.

Dear Sir:

I am in receipt of your letter of the 16th inst., submitting a question relating to the alleged violation of the anti-gambling laws in relation to pool games. It is stated in your letter that,

“The players bet on the eight ball or ten ball and these bets range from 25 cents to \$5.00.”

I have heretofore had occasion to examine the anti-gambling law in its relation to pool games and reached the conclusion that a game of pool is not a game of chance but a game of skill and is therefore not within the law.

Opinions Attorney General, 1906-08, 298.

The authorities there cited as well as the statute itself (Sec. 8416 et seq.) appear to be conclusive on the subject. Of course, it may be possible that betting may be done with reference to some phase of

the game that would make it a chance rather than skill, but if this is the case it could be determined by the particular fact and it could not be based on the assumption that a pool game is a violation of our anti-gambling statutes.

Yours very truly,

ALBERT J. GALEN,

Attorney General.