

Elections, Ballots for. Measures, Separate Ballots for. Ballots, for Measures Submitted. Questions, When Submitted on Separate Ballot.

The various measures to be submitted at the general election for 1916 should be submitted on separate Ballots.

September 25th, 1916.

Hon. Geo. A. Judson, County Attorney,
Great Falls, Montana.

Dear Sir:

I am in receipt of your letter of the 21st instant, submitting the question:

Can the various measures to be submitted to the electors at the coming general election, legally be printed on one separate ballot, or must each measure be on a separate and distinct ballot?

There are authorities which seem to indicate that under the general provisions of the Initiative and Referendum Laws, as expressed in Section 111, R. C., as amended by Chapter 66, Laws of 1913, the phrase "separate ballots" means rather separately stated or designated on one ballot than the use of separate and distinct sheets of paper.

Matter of Arnold, 66 N. Y. S. 557.

Matter of Cipperly, 100 N. Y. S., 473.

In re Webster, 100 N. Y. S. 508

Stern v. Fargo, 18 N. D. 289, 22 N. W. 403, 26 L. R. A. (N. S.) 665.

State v. Blaisdell, 18 N. D. 85, 118 N. W. 141, 147; 24 L. R. A. (N. S.) 465, 138 Am. St. Rep. 741.

However, the uniform practice in this State is to submit each

measure on a separate and distinct ballot and the various acts of the legislature authorizing the submission, specifically provide that separate ballots must be used.

Chapters 39, 47, 48 and 106, Laws of 1915.

I am, therefore, of the opinion that separate and distinct ballots should be used.

Yours very truly,
J. B. POINDEXTER,
Attorney General.