

**Candidates for Office—Withdrawal of Candidates for Office—Office, Candidates for.**

A candidate for office, whose completed petition has been filed within the time provided by law may be considered to have withdrawn only "in case of death of the candidate or his removal from the state or his county or electoral district before the date of the ensuing election, but in no other case.."

August 10, 1918.

Hon. C. T. Stewart,  
Secretary of State,  
Helena, Montana.

Dear Sir:

You have requested an opinion from this office upon the following question:

May a candidate, who has filed his completed petitions in this office, withdraw?

Section 16 of the Direct Primary Law provides:

"The provisions of Sections 529 and 530, Revised Codes of Montana, 1907, shall apply to nominations, or petitions for nominations, made under the provisions of this law, in case of the death of the candidate or his removal from the state or his county or electoral district before the date of the ensuing election, but in no other case. In case of any such vacancy by death or removal from the state, or from the county or electoral district, such vacancy may be filled by the committee which has been given power by the political party or this law to fill such vacancies substantially in the same manner provided by Sections 529 and 530, Revised Codes of Montana, 1907."

It, therefore, follows that a candidate whose completed petitions have been filed within the time provided by law may withdraw only

"in case of death of the candidate or his removal from the state or his county or electoral district before the date of the ensuing election, *but in no other case.*"

Respectfully,

S. C. FORD,

Attorney General.