

**Opinion No. 364.****Election—Ballots, Arrangement of  
Parties On—Independent  
Candidates.**

HELD: In the arrangement of ballots at the general election, it is not legal to separate the party tickets and to insert between such party tickets the names of independent candidates but the names of independent candidates should be placed in the last column on the ballot.

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October 20, 1936.

Hon. Sam W. Mitchell  
Secretary of State  
The Capitol

You inquire as to the arrangement of ballot at the general election to be held November 3, 1936, and in particular, whether or not it is legal to insert the names of independent candidates in a column between columns of the several party tickets.

The arrangement of ballots, in so far as same is regulated by statute, is determined by Section 681, R. C. M. 1935. Such statute provides for a form of ballot, and shows that the various party tickets should be arranged in order, one after another, across the ballot. Independent candidates are not candidates upon a party ticket. As the form in the statute specifically shows that the party tickets are to be arranged one after another, it is not legal to separate the party tickets and to insert between such party tickets the names of independent candidates. Names of independent candidates should be placed in the last column on the ballot. In this manner have ballots always been arranged in the State of Montana.