

**Opinion No. 44-4595**

October 2, 1944

**BY:** C. C. McCULLOH, Attorney General

**TO:** Honorable G. T. Watts, District Attorney, Roswell, New Mexico

In a telephone conversation of this date you have requested an opinion of this office concerning whether the Prohibitionist Party are entitled to have county candidates, which they have certified to a county clerk in your district placed on the General Election Ballot.

You further state that this party has not filed with the county clerk of the county involved a set of rules and regulations providing for the government and organization of such political party within the county, the manner of calling and conducting its conventions and/or primaries, the mode of selection of delegates to such conventions, the manner of selecting its county candidates in a primary and all other officers or members of the governing bodies of such political parties within the county, power and duties of such officers, committees and governing bodies, the method of selecting nominees for such officers, and the means and manner of filling vacancies in such county offices, committees and governing bodies as required by Section 56-903 of the 1941 Compilation.

In answer to this question we wish to state that Section 56-903 requires the filing of the various matters referred to in the above paragraph, before such political party is entitled to have candidates for county offices placed on the ballot for the General Election.

In answer to your further inquiry we have checked with the Secretary of State and find that a Prohibitionist Party has complied with the provisions of Section 56-902 of the New Mexico 1941 Compilation and is therefore entitled to have the names of its candidates, if any, for Presidential Electors, United States Senators, Representatives in Congress, State Officers, District Officers and members of the Legislature chosen by the Electors of more than one county printed on the official ballot at the coming General Election.

Hoping that the above fully answers your inquiries.

By HARRY L. BIGBEE,

Asst. Atty. General