

ELECTIONS:
POLITICAL PARTY:

Declaration of candidates of Christian Nationalist Party sufficient because evidence of existence of such party is sufficient.

May 19, 1950



Honorable Walter H. Toberman
Secretary of State
Jefferson City, Missouri

Dear Sir:

This is in answer to your letter of recent date requesting an official opinion of this department and reading as follows:

"Enclosed is a photostatic copy of papers filed on May 6, 1950 in this office by representatives of the Christian Nationalist Party.

"We respectfully request your opinion as to whether or not these papers along with those previously filed in this office - photostatic copies of which are in your files - are sufficient evidence that there is in Missouri a political party known as the Christian Nationalist Party and that we should certify the names of the candidates who have filed declarations to the county clerks to be placed on the ballot in November 1950."

In an opinion rendered to you under date of April 27, 1950, the following conclusion was reached:

"It is the opinion of this department that no action should be taken by you with regard to certifying to the county clerks and election boards the names of those persons filing declarations of candidacy in your office as candidates on the Christian Nationalist ticket, unless proof is given to you that there is in

Honorable Walter H. Toberman

Missouri a political party known as the "Christian Nationalist" Party, which has principles or a creed in opposition to the principles or creed of other political parties."

After examination of the photostatic copies furnished by the purported Christian Nationalist Party of Missouri, it is our view that the requirements made in the conclusion in the opinion of April 27, 1950, quoted supra, have been met, since the photostatic copies show that there is in Missouri at present a political party known as the "Christian Nationalist" Party, which party has a definite creed or principles in opposition to the creed or principles of the other political parties of this State.

It is, therefore, our view that the persons who filed declarations of candidacy in your office as candidates of the "Christian Nationalist" Party prior to April 25, 1950, accompanied by receipts from the treasurer of such party showing the proper amounts have been paid to such treasurer, are entitled to be certified out as candidates of the "Christian Nationalist" Party for the primary election to be held in August of this year.

CONCLUSION

It is the opinion of this department that the requirements contained in the opinion to you dated April 27, 1950 have been met by a showing that there exists in Missouri a "Christian Nationalist" Party, which party has principles or a creed in opposition to the principles or creed of the other political parties in this State.

Respectfully submitted,

C. B. Burns, Jr.
Assistant Attorney General

APPROVED:

J. E. TAYLOR
Attorney General