

Opinion No. 22-3389

April 26, 1922

BY: HARRY S. BOWMAN, Attorney General

TO: Mr. C. Ernest Anderson, County Clerk, Mosquero, New Mexico.

Ballots for Election for Establishment County High School.

OPINION

{*146} In reply to your letter of the 20th instant, asking if, under the provisions of Section 4964, Code 1915, the names of more than one town may be placed upon the ballots in an election to be held for the purpose of determining whether or not a county high school shall be established, and if not, where petitions are presented for the establishment of a high school at two or more different places, which petition shall be acted upon first, I wish to advise you:

Section 4964 provides for the filing of a petition with the Board of County Commissioners requesting that an election be called to determine the question of establishing a county high school at a place named in said petition, and the section further provides that the ballot shall read as follows: "For a county high school at" and "Against a county high school at"

From the foregoing it is perfectly apparent that the name of only one locality may be placed upon the ballot to determine whether or not a county high school shall be established.

Where two petitions are presented, it would be my opinion, under the provisions of the above mentioned section, that the election should be called first for the town or place named in the first petition.