

**STATE EX REL. SANDOVAL V. BOARD OF COMM'RS, 1920-NMSC-040, 26 N.M.  
170, 190 P. 353 (S. Ct. 1920)**

**STATE ex rel. SANDOVAL  
vs.  
BOARD OF COM'RS OF GUADALUPE COUNTY**

No. 2375

SUPREME COURT OF NEW MEXICO

1920-NMSC-040, 26 N.M. 170, 190 P. 353

May 27, 1920

Appeal from District Court, Guadalupe County; Leahy, Judge.

Proceeding between State of New Mexico, on the relation of Benito D. Sandoval for himself and others similarly situated, and the Board of County Commissioners of the County of Guadalupe, State of New Mexico, sitting as a canvassing board. Judgment for the former, and the latter appeals.

**SYLLABUS**

**SYLLABUS BY THE COURT**

Where assignments of error are based solely upon matters shown by the bill of exceptions, and the bill of exceptions is stricken, the cause will be affirmed on motion.

**COUNSEL**

Patton & Hatch, of Clovis, for appellant.

F. Faircloth, of Santa Rosa, for appellee.

**JUDGES**

Roberts, J. Parker, C. J., and Raynolds, J., concur.

**AUTHOR: ROBERTS**

**OPINION**

{\*171} {1} OPINION OF THE COURT. Heretofore the bill of exceptions in this case was stricken. Appellee moves for an affirmance of the judgment of the trial court, because

the assignments of error are all based upon matters shown only by the bill of exceptions. This contention is correct, and the cause will therefore be affirmed; and it is so ordered.