

should be construed and interpreted to promote honesty and fairness rather than to be construed in a way that will lead to corrupt methods. Farcical indeed, would become a primary election under a law which would permit voters to nominate one candidate with the intent of endeavoring to elect him, and another candidate with the deliberate intention of defeating him. In the case of nominations by party the voters of the respective parties vote to nominate candidates equal to the offices to be filled. In such a case the voters vote for the same number of candidates for a given office at the primary election that they are allowed to vote for at the general election. In such a case voters do not vote to nominate persons whom, if successful in the primary election, they cannot support at the general election. It is, therefore, my opinion that a reasonable construction and interpretation of the primary election law leads to but one conclusion, and that is that voters who vote for nonpartisan nominees are allowed to vote for but one candidate for one nonpartisan office to be filled.

Yours very truly,

L. B. FOWLER, Attorney-General.

139. Elections--In Canvassing Vote, Board of County Commissioners May Not Open Envelopes Containing Ballots--Tally-Sheets Are Controlling.

CARSON CITY, September 7, 1922.

HON. CLARK J. GUILD, District Attorney, Yerington, Nevada.

Dear Sir: Answering your inquiry as to whether or not the Board of County Commissioners, in canvassing the votes cast at the recent primary have the right to open the envelopes containing the ballots and count the same, you are advised that the board may not do so.

The canvass of the votes must be confined to the tally-sheets; the envelopes may be opened only by a court of competent jurisdiction in a proper proceeding.

By order of the Attorney-General:

Respectfully submitted,

ROBERT RICHARDS, Deputy Attorney-General.

140. Emergency Loan--Transmitted Papers Deficient in Certain Respects.

CARSON CITY, September 8, 1922.

HON. GILBERT C. ROSS, Secretary of State Board of Finance.