

Opinion No. 14-1248

June 19, 1914

BY: FRANK W. CLANCY, Attorney General

TO: Mr. H. C. Williams, Estancia, New Mexico.

PROHIBITION ELECTION.

Registration required at prohibition election in incorporated city, town or village.

OPINION

{*112} I have your letter of yesterday asking whether or not the law requires voters to register before the day of an election on the prohibition question.

This question was submitted to me from Roswell nearly a year ago. By Section 2443 of the Compiled Laws of 1897, which section appears to be still in force, it is provided that in all municipalities it shall be the duty of the city council or board of trustees to appoint a board of registration of three persons, not more than two of the same political party, for each ward or precinct within the municipalities, at least twenty days before any election, and it shall be the duty of the persons so appointed to register the name of every legal voter within such precinct or ward entitled to vote at the ensuing election. This section contains a clause that "no person whose name is not so registered shall on any account be permitted to vote at such election."

I could not last year, and cannot now, see any reason to doubt that this provision as to registration would apply to prohibition elections in any incorporated city, town or village. The registration must be completed and a revised list delivered to the city clerk or town recorder at least one day before the day of election.