

Opinion No. 15-1640

September 27, 1915

BY: H. S. CLANCY, Assistant Attorney General

TO: Mr. R. S. MacKenzie, Kirk, New Mexico.

Naturalization.

OPINION

{*212} I am just in receipt of your letter of the 15th instant in which you ask for the opinion of this office as to whether you are a citizen of the United States. You state that you are now twenty-five years old, was born in Scotland and brought to this country by your father when you were six months old, and that your father became a naturalized citizen of the United States; further, that you have lived in the United States ever since you arrived here, except three years when you resided in old Mexico.

Section 2172, Rev. Stat. (U.S. Comp. Stat. 1901, p. 1334) provides that:

"The children of persons who have been duly naturalized under any law of the United States * * * being under the age of twenty-one years at the time of the naturalization of their parents, shall, if dwelling in the United States, be considered as citizens thereof."

You do not state the date of your father's naturalization, but if at that time you were under the age of twenty-one years, and was dwelling in the United States, there is no question as to your being considered a citizen at the present time, and eligible to make a filing under the homestead laws.