

Opinion No. 15-1683

November 20, 1915

BY: FRANK W. CLANCY, Attorney General

TO: Hon. J. D. Cutlip, Probate Judge, Tucumcari, New Mexico.

Minor child may redeem land sold for taxes within one year after he comes of age.

OPINION

{*253} I have this morning received your letter of the 18th inst. in which you say that land owned by two minor children was sold for taxes for 1910, and that the purchaser has not yet taken a deed, and you ask whether they can redeem from the county treasurer or if it will be necessary to bring a suit in equity, referring to Section 5503 of the new codification.

As requested I have telegraphed you that I believe redemption can be made by payment to the treasurer, and this is on the assumption that the time limited for redemption in Section 5503, which is to be one year after the minor comes of age, has not yet expired. The section immediately preceding prescribes the method of ordinary redemption by payment to the county treasurer, and taking the two sections together, when the second one authorizes {*254} a redemption, we would be referred back to the other for the method of redemption. A suit in equity would be necessary only when the purchaser has received his deed from the treasurer.