

Opinion No. 20-2708

October 7, 1920

BY: N. D. MEYER, Assistant Attorney General

TO: Mr. Arthur Seligman, Santa Fe, New Mexico.

Registration for Voting by Man and Wife.

OPINION

This office is in receipt of your letter of October 2nd asking for an opinion as to the legality of a registration made by a man and his wife in the following form:

Mr. and Mrs. John Smith.

This, of course, is a question that has never been passed upon in this state. However, from reading Chapter 32 of the Code of 1915, which covers the matter of registration, one must come to the conclusion, although not clearly so stated, that the law contemplates that each voter should be registered separately. By which, I mean, have a separate line for the name of each voter, and in the example that you set forth the name should appear "John Smith," and on another line "Mrs. John Smith."

I am not prepared to state conclusively that the registration made in the form you set forth would be absolutely irregular and illegal, however, I am strong of the opinion that the mode that I have suggested should be followed if it is at all possible in order to avoid any question being brought up.