

Opinion No. 21-2799

January 28, 1921

BY: HARRY S. BOWMAN, Attorney General

TO: Mr. P. P. Sanchez, Duran, New Mexico.

Women Qualified to Sign Petition for Incorporation of Village.

OPINION

{*19} We have your letter of the 25th instant asking if women are qualified signers of a petition addressed to the Board of County Commissioners asking for the incorporation of a village.

The provisions covering the petition to be filed with the Board of County Commissioners in a case such as you mentioned are contained in Section 3764, Code 1915, wherein it is provided that the {*20} petition shall be signed "by not less than a majority of the qualified voters residing within the territory embraced in the proposed incorporated village."

You will note that the signers of the petition must be "qualified voters." As women have been enfranchised by the amendment to the Constitution of the United States, and have, therefore, become "qualified voters," they fall within the definition as required by this act and may become signers to such a petition.