

Opinion No. 34-794

August 3, 1934

BY: E. K. NEUMANN, Attorney General

TO: Mr. Geo. B. Spivey, Member, Registration Board, Harding County, Mosquero, New Mexico.

{*149} This is in reply to your letter of July 30, 1934.

Section 41-209 provides that no person shall be registered unless at the date of the next ensuing election he will have the qualifications of an elector. Section 41-210 provides, among other things, that a person "convicted of a felonious or infamous crime unless restored to political rights" shall not be a qualified elector. In the case you mention it cannot be definitely stated at this time whether or not he will be qualified to vote at the next election. However, if the Board considers it reasonably certain that he will be qualified by the date of the next election I suggest that he be allowed to register. In case he is not qualified on election day, then, of course, he should not be allowed to vote.

By: QUINCY D. ADAMS,

Asst. Attorney General