

Opinion No. 36-1400

July 8, 1936

BY: FRANK H. PATTON, Attorney General

TO: Mrs. Vernon Bloomfield, Secretary, Toadlena, New Mexico.

{*128} Your letter of July 6th, in regard to registration of Indians, has just been received and we can do no more than refer you to Section 1, of Article VII, of the Constitution of the State of New Mexico, which prescribes the qualifications for voters in elections in this State.

It is my opinion that the phrase in the Constitution: "Indians not taxed," refers to the Indians who do not pay a property tax and has no application to payment of the various excise and privilege taxes.

In other words, it is my opinion that before an Indian can be registered and vote he must be a citizen of the State and taxpayer upon real property.