

Opinion No. 38-2008

July 18, 1938

BY: FRANK H. PATTON, Attorney General

TO: Mr. J. C. Kobes Toadlena, New Mexico

{*252} Your letter of July 15th as to whether or not a certain person who is one-fourth Indian from the State of Oklahoma may be permitted to register and vote in this state has been received.

Article VII, Section 1, of the State Constitution, excludes "Indians not taxed" from the suffrage provisions of our law.

If this Indian has otherwise met the registration and voting qualifications of our Constitution and statutes and is not a ward of the United States Government, and is subject to the payment of real and personal property taxes as any other person in this state, then in my opinion he would be entitled to register and cast his vote.