

Elections—Voters—Citizenship—Registration.

Under section 559 R. C. M. 1921 one who has reason to believe that he will be a full citizen on or before election day may register subject to being challenged at the polls if he fails to produce his final citizenship papers.

September 19, 1928.

Anthony Hork, Esq.,
County Clerk and Recorder,
Hamilton, Montana.

My dear Mr. Hork:

You have requested my opinion relative to the right of a person who has not received his naturalization papers, but who expects to receive them before the date of election, to register.

This matter is covered by section 559 R. C. M. 1921, which provides:

“If any person applies to be registered who is not a citizen of the United States, but states that he will be qualified to be registered as a citizen of the United States before the date upon which the election is to be held, the county clerk shall accept such registration, but shall place opposite the name of such person the words ‘to be challenged for want of naturalization papers,’ and such person shall not be entitled to vote unless he exhibits to the judges of election his final naturalization papers.”

It is therefore my opinion that an alien expecting to be naturalized after the registration books close is entitled to register before they

close and have placed opposite his name on the poll book the words "to be challenged for want of naturalization papers."

Very truly yours,

L. A. FOOT,
Attorney General.