

Yours very truly,

GEO. B. THATCHER, Attorney-General.

By WM. McKNIGHT, Deputy.

192. Fish and Game--Licenses--Minors.

Under provisions of section 68 (Stats. 1917, p. 471), a person under the age of 15 years is not required to purchase a market fisherman's license in order to be entitled to sell fish in the market.

CARSON CITY, June 8, 1918.

HON. C. W. GROVER, State Fish and Game Warden, Carson City, Nevada.

Dear Sir: I am in receipt of your recent favor asking opinion on the question:

Would any person, under the age of 14 years, be required to purchase a market fisherman's license in order to be entitled to sell fish in the market?

Section 61 of the Act for the protection and preservation of fish and game (Stats. 1917, p. 470) provides:

A license of \$15 shall be charged to any one engaged in market fishing.

Section 68 of the same Act (p. 471) states:

The provisions of this Act shall not apply to any * * * girls or boys under 14 years of age.

The language of said section 68 seems to wipe out completely all requirements of section 61 in regard to licenses, including a market fisherman's license.

It is, therefore, the opinion of this office that a person under the age of 14 years is not required to purchase a market fisherman's license in order to be entitled to sell fish in the market.

Yours very truly,

EDW. T. PATRICK, Deputy Attorney-General.

193. Elections--Registration.

The County Clerk is ex officio registrar of all voters in the respective counties of the State.

The Justices of the Peace are Deputy Registrars for the purpose of carrying out the provisions of the Act.

Additional registrars shall be appointed by the County Clerk for all precincts which are five miles distant from the county courthouse in which no Justice of the Peace resides.

Any voter may register with the County Clerk.

Justices of the Peace who live within five miles of the county courthouse shall register all voters within such district although any voter may register direct with the County Clerk.

A Justice of the Peace whose precinct is more than five miles distant from the courthouse shall register all voters within his precinct.

County Registrars (other than Justices of the Peace) shall be appointed by the County Clerk to register all electors living in precincts in which there is no Justice of the Peace and which is more than five miles distant from the county courthouse.

No person's right to vote will be jeopardized by the fact that his registration was taken before the wrong officer when it could actually have been taken by the County Clerk, Justice of the Peace, or Deputy Registrar duly qualified.

CARSON CITY, June 10, 1918.

HON. H. H. ATKINSON, District Attorney, Tonopah, Nevada.

My Dear Mr. Atkinson: I am in receipt of yours of recent date, requesting the opinion of this office upon the construction to be given to chapter 231, Statutes of 1917, "An Act regulating the registration of electors of general, special and primary elections," approved March 27, 1917, and particularly requesting the opinion of this office as to the respective jurisdictions of the County Clerks, the Justices of the Peace and the deputy registrars in registering voters for elections.

The particular section to be construed in section 10, which reads as follows:

All Justices of the Peace are hereby designated as deputy registrars for the purpose of carrying out the provision of this Act. The County Clerk of each county shall appoint deputy registrars, who shall have the power to administer oaths, in each precinct for such county distant more than five miles from the county courthouse and wherein no Justice of the Peace resides. It shall be the duty of the deputy registrar to register all electors within his precinct applying for registration, and for this purpose he or she shall have authority to demand of the elector all information, and to

administer all oaths required by this Act. The deputy registrar shall be a resident elector within the precinct for which he is appointed, and shall receive as compensation for all services the sum of not more than fifteen cents for each elector registered, to be paid by the county after being approved by the County Clerk. Said registry agent shall forward, within two days after the filling out of any registry cards, all such cards so filled out to the County Clerk. Any deputy registrar violating any of the provisions of section 11 of this Act shall be guilty of a misdemeanor and be subject to a fine of not less than \$25 nor more than \$100, for each offense.

I am of the opinion that the Act is to be construed as follows:

First--The County Clerk is ex officio registrar of all voters in the respective counties of the State.

Second--The Justices of the Peace are deputy registrars for the purpose of carrying out the provisions of this Act.

Third--Additional registrars shall be appointed by the County Clerk for all precincts which are five miles distant from the county courthouse and in which no Justice of the Peace resides.

Fourth--Any voter may register direct with the County Clerk as ex officio registrar.

Fifth-- Justices of the Peace who live within five miles of the county courthouse shall register all voters within such district, although any voter may register direct with the County Clerk as above indicated.

Sixth--Justices of the Peace whose precincts are more than five miles distant from the county courthouse shall register all voters within their respective precincts.

Seventh--Deputy registrars (other than Justices of the Peace) shall be appointed by the County Clerk to register all electors living in precincts in which there is no Justice of the Peace and which is more than five miles distant from the county courthouse.

I am further of the opinion that no person's right to vote will be jeopardized by the fact that his registration was taken before the wrong officer if it actually be taken by either the County Clerk, the Justice of the Peace or a deputy registrar duly qualified.

Yours very truly,

EDW. T. PATRICK, Deputy Attorney-General.