

Opinion No. 12-892

May 15, 1912

BY: FRANK W. CLANCY, Attorney General

TO: Mr. J. A. Dykes, Tucumcari, N. M.

NOTARIES PUBLIC.

Notary public may use his seal and take acknowledgments, administer oaths, etc., in any county of the state.

OPINION

{*35} I have received your letter of the 13th instant. Under the law as it now stands, I do not believe that it is necessary for you to obtain a new seal for use as notary public because you have removed from one county to another. I base this opinion on the fact that by Section One of Chapter 55 of the Laws of 1909 notaries public are given authority anywhere in the territory to perform official acts, although they are to be appointed in each county. If you could while residing in Torrance County, and after having been appointed in that county, take acknowledgments, administer oaths, etc., in Quay County, I believe you could still do so although you have changed your place of residence, and there is no statutory provision as to what the seal shall contain, and I doubt if it is necessary to have the name of any county in it. I call your attention, however, to Section 16 of the same act which provides that when a notary public changes his residence from the county in which he was appointed to another county he must, before performing any official act in that county, cause his bond, commission and oath of office to be filed in the office of the county recorder, and upon request the secretary of state will send by registered mail to the county recorder those papers for record.