

Opinion No. 19-2418

October 20, 1919

BY: O. O. ASKREN, Attorney General

TO: Mr. L. C. Lusk, Las Cruces, New Mexico.

Jurisdiction of Notaries in Counties Other Than Those in Which They Reside.

OPINION

In reply to your letter of October 29th, concerning the powers of notaries public to take acknowledgements in counties other than that in which they reside, I advise that section 3924, the 1915 Code, would indicate that a notary public would have the power and authority anywhere in the state to take acknowledgments; however, section 3943 indicates that he should only take acknowledgments in such counties where his bond, commission and oath of office have been filed in the office of the county clerk.

Therefore, I am of the opinion that if a notary public resides in a county and has his bond, commission and oath of office filed in such county, he may not take acknowledgment in other counties until he causes his bond, commission and oath of office to be filed in the office of the county clerk of such other county.