

Opinion No. 21-2939

April 29, 1921

BY: A. M. EDWARDS, Assistant Attorney General

TO: Royal A. Prentice, Attorney at Law, Tucumcari, New Mexico.

Amendment Commission Notary Public.

OPINION

{*51} Your letter to the Secretary of State regarding the change in commission as notary public of Mrs. Elizabeth W. Garrett, formerly Miss Elizabeth W. Winter, has been referred to this office.

We know of no way under our law for a commission to a notary public to be amended or changed by the governor. If the governor had such authority it would be necessary to pay certain fees to the Secretary of State for the new commission, for recording with the county clerk, and to have the seal of the notary changed. So far as the expense is concerned, therefore, there would be little saved by having a new one issued.

We believe that Mrs. Garrett can still act as notary under present commission as Miss Winter, and that her acts as such notary could not be questioned.