

Opinion No. 35-946

March 18, 1935

BY: FRANK H. PATTON, Attorney General

TO: Mr. Thomas M. Baca, Box 47, Socorro, New Mexico.

{*54} This is in reply to your letter of March 16, 1935. A Justice of the Peace may appoint a private individual to act as constable in certain cases. See Section 79-306, 1929 Compilation. Service of persons in civil cases may also be made by persons over the age of eighteen years. See Section 105-306, 1929 Compilation.

I call your attention to the fact that the jurisdiction of Justices of the Peace is confined to their own county and a constable cannot in my opinion serve criminal process outside of his county.

By QUINCY D. ADAMS,

Asst. Atty. General