

MARCH 8, 1949.

DR. WILLIAM S. CARPENTER, *President,*
Department of Civil Service,
 State House,
 Trenton, New Jersey.

FORMAL OPINION—1949. No. 4.

MY DEAR COMMISSIONER:

I have your memorandum of the 28th ult. stating that the Sheriff of Passaic County has requested your department to reclassify Process Servers as Deputy Sheriffs.

I know of no law for your so doing. The Sheriff may appoint Under Sheriffs and, among others, he may appoint Deputies, but the Process Servers, who have been classified as such under civil service, cannot, in my opinion, be designated as Deputy Sheriffs.

Very truly yours,

THEODORE D. PARSONS,
Attorney General,

By: THEODORE BACKES,
Deputy Attorney General.

TB:B

MARCH 9, 1949.

HON. JOHN H. BOSSHART,
Commissioner of Education,
 175 West State Street,
 Trenton, New Jersey.

FORMAL OPINION—1949. No. 5.

MY DEAR COMMISSIONER:

I duly received your letter of the 24th ult. with enclosure of letter addressed to me by Mr. Smith, County Superintendent of Schools of Somerset County. It appears from Mr. Smith's letter that the County Superintendent under the school law was called upon to divide the assets of the Bernards Township Board of Education with the new school district of the Borough of Bernardsville, and that included in the assets was \$1600.00 which had been voted in the February, 1947, school election to purchase land in what is now Bernardsville, but which land was in the combined school districts, and when the separation of the school districts became effective on July 1, 1948, the land had not been purchased. Mr. Smith submits for my consideration three questions, to wit:

1. Must the land be purchased as voted in February, 1947, even though it is in the new district which came into existence on July 1, 1948?