

**Corporations—Articles of Incorporation—Certification.**

The certified copy referred to in section 6003 R. C. M. 1921, as amended, means a copy certified by the clerk and recorder of the county wherein the original is filed.

William Powers, Esq.,  
Secretary of State,  
Helena, Montana.

January 4, 1928.

My dear Mr. Powers:

You have requested my opinion whether the certified copy referred to in section 6003 R. C. M. 1921, as amended by chapter 5. laws of 1927, is required to be certified by the county clerk and recorder or whether it may be certified to by any officer authorized to administer oaths.

Section 6003, as amended, provides in part as follows:

“Every corporation, having a capital stock, except banks, trust companies, and building and loan associations, shall by March 1st of each year hereafter, file in the office of the County Clerk and Recorder of the County in which the principal place of business of such corporation is situated, (and a certified copy thereof in the office of the Secretary of State,) a report of the condition of said corporation on December 31st preceding \* \* \* ”

While the above provision is not well worded and does not specifically state that the copy in question shall be certified by the county clerk and recorder, yet it is clear that what is to be filed with the secretary of state is not just a copy of the report but it must be a true and correct copy of the report filed with the county clerk and recorder, and it is therefore evident that it was the intention of the legislature that the copy should be certified by the county clerk and recorder with whom the original report was filed.

Therefore, applying the rule of statutory construction that the in-

tention of the legislature is to be pursued, if possible, it is my opinion that the certified copy referred to in section 6003, supra, as amended, means a copy certified by the clerk and recorder of the county wherein the original is filed.

Very truly yours,

L. A. FOOT,

Attorney General.