

**Opinion No. 7**

**STATUTES; Repeal of; Statutes “superseded”—Sections 53-204,  
93-3004, 93-3009, 93-3010, 93-3019, 93-6206, 93-6207, 93-6208,  
Revised Codes of Montana, 1947.**

**HELD: Chapter 190, Laws of 1963, repeals Sections 53-204, 93-3004, 93-3009, 93-3010, 93-3019, 93-6206, 93-6207, and 93-6208, R.C.M., 1947.**

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June 27, 1963

Honorable Frank Murray  
Secretary of State  
State Capitol  
Helena, Montana

Dear Mr. Murray:

You have advised me that Chapter 190, Laws of 1963, provides that Sections 82 and 83 of Chapter 13, Laws of 1961, being tables B and C of the Montana Rules of Civil Procedure, be amended by adding to the list of statutes superseded by Rule 4 Sections 53-204, 93-3009, and 93-3010, R.C.M., 1947, among others. The bill makes no mention of the repeal of the above sections.

You wish to know if these statutes were repealed or whether you can continue to accept service in the manner and for the fees specified in the statutes above cited.

Section 19-102, R.C.M., 1947 provides that words and phrases used in our statutes are to be construed "according to the context and the approved usage of the language." Webster's Third New International Dictionary defines "supersede" as to "to make void: ANNUL, OVERRIDE". Construing the statute in question in accordance with this definition, it is clear that the legislature intended to repeal the statutes added to the list of statutes superseded by Rule 4 and that the method used, while not customary, was sufficient to effectuate that intent.

It is therefore my opinion that Chapter 190, Laws of 1963, effectively repeals Sections 53-204, 93-3004, 93-3009, 93-3010, 93-3019, 93-6206, 93-6207, and 93-6208, R.C.M., 1947.

Very truly yours,  
FORREST H. ANDERSON  
Attorney General