

**County Clerk, Acknowledgment by. Acknowledgment, by  
County Clerk. Affidavit, Taken Before County Clerk.**

The county clerk, or his legally appointed deputy, has the authority to administer oaths and to take acknowledgments, without restriction as to the character of the instrument.

Helena, Montana, August 14, 1909.

Hon, Sharpless Walker,  
County Attorney,  
Miles City, Montana.

Dear Sir:

I am in receipt of your letter of the 9th instant, submitting the question:

As to whether a county clerk is authorized to administer oaths and to take verification to a pleading or an affidavit of verification to a mechanics lien.

Section 2970 and section 4655, revised codes, confers upon the county clerk the authority to administer oaths and to take acknowledgments, and this without any restriction whatsoever as to the character of the instrument. And by the provisions of section 4658, revised codes, the deputy clerk has the same authority as the clerk, acting, however, in the name of his principal.

Yours very truly,

ALBERT J. GALEN,  
Attorney General.