

Foreign Corporations, Filing Articles of. Corporations Foreign, Articles of. Railway Corporations, Foreign, Articles of.

Foreign Railway Corporations are governed by the provisions of Section 4299 of the Revised Codes in the filing of their articles of incorporation with the Secretary of State, and not by the provisions of Section 4413 of the Revised Codes which relates to all Foreign Corporations not otherwise provided for.

Helena, Mont., Jan. 6, 1909.

Hon. A. N. Yoder, Secretary of State, Helena, Mont.

Dear Sir:

I am in receipt of your verbal request for an opinion relative to the filing by you of a certified copy of the Articles of Incorporation of the Chicago, Milwaukee & Puget Sound Railway Company, incorporated in the State of Washington, the proper fees having been tendered therefor, but no statement or designation of agent as named in Section 4413 Revised Codes having been presented for filing in your office. Said Section 4413 applies to "all foreign corporations * * * except foreign insurance companies and corporations otherwise provided for * * *

Railroad corporations are otherwise provided for. Sec. 4299 Revised Codes provides that foreign railway corporations may do business in this state and operate their lines of road herein by filing with the Secretary of State a true copy of its charter or articles of incorporation, and Sec. 6519 Revised Codes, makes specific provision for the service of process upon railroad corporations. Neither of these sections requires the filing of any statement or designation of agent by the company. You are therefore advised that the articles, if otherwise regular, should be filed upon the payment of the proper fees therefor.

Very respectfully yours,

ALBERT J. GALEN,
Attorney General.