

Trust Companies, Foreign. Foreign Corporations. Foreign Trust Company.

Sections 3923 et seq, Revised Codes relate to domestic corporations. A foreign trust company operating in this state is to be governed by the provisions of Sec. 4413 et seq., of the Revised Codes.

November 21, 1911.

Hon. C. E. Kumpe,
State Examiner,
Helena, Mont.

Dear Sir:

I am in receipt of your letter of the 1st inst., in which you submit for my opinion a contract issued by the United States Installment Realty Company of Minneapolis, and in which you request my opinion as to whether or not this corporation is entitled to conduct business in the State of Montana.

As suggested in your letter, it appears from the terms of the contract submitted that this company is conducting a business very similar to that of a trust company. They are not, however, incorporated under the laws of this state as a trust company, nor have they complied with the requirements as prescribed by the trust laws found in sections 3923 et seq. of the Revised Codes, however, an examination of the last named sections of our codes discloses the fact that it relates entirely to domestic corporations. The corporation under consideration is a foreign corporation and its right to do business in this state is governed by the provisions of Sections 4413 et seq., of the Revised Codes, which sections are applicable to all foreign corporations not otherwise provided for, there being no law of this state applicable to foreign trust companies and a foreign cor-

poration not being amenable to the provisions relative to domestic corporations as such, there is no objection that I can see to this company transacting business within this state so long as they have complied with the provisions of Sec. 4413 et seq., relative to foreign corporations.

I return you herewith the contract submitted.

Yours very truly,

ALBERT J. GALEN,

Attorney General.