

**Corporations, When Subject to Amendments of Statutes.
Bank Examiner, Authority of Over Corporations. Superin-
tendent of Banks, Authority of Over Corporations. Statute,
Construction of.**

All corporations organized since the enactment of Chapter 89, Session Laws of 1915, and coming within the provisions of that Act are subject to its conditions.

Helena, Montana, October 28, 1915.

Hon. H. S. Magraw,
Supt. of Banks,
Helena, Montana.

Dear Sir:

I am in receipt of a letter from your department, signed by Assistant Superintendent, J. H. Sharpe, submitting the question :
as to whether the provisions of Section 9, Article I of the United States Constitution, prohibiting the passage of ex post facto laws, is applicable to Section 24, Chapter 89, Session Laws of 1915?

This constitutional prohibition contained in the Federal constitution,

and the similar provision contained in Section 11, Article III of the State Constitution, have no application whatsoever to laws enacted by state legislature relative to the control and regulation of corporations. Furthermore, no law can be ex post facto, unless it is retroactive, and said Chapter 89 is not retroactive, but takes effect only after its passage and approval. It, therefore, relates only to the future, and not to the past. Neither do the provisions of the section of this chapter, above referred to, violate the provisions of the state constitution, found in Section 11, Article III, prohibiting laws being passed impairing the obligation of contracts, for a corporation neither possesses, nor can it be given an irrevocable charter, or right to do business in the State of Montana. The legislature has the power to alter, or revoke, or annul any charter of any corporation at any time. Sections 2 and 3, Article XV, State Constitution.

Yours very truly,

J. B. POINDEXTER,

Attorney General.