

the proceeds derived from the sale of state highway treasury anticipation debentures herein provided in the year 1944, there shall be placed in the State Highway Treasury Anticipation Debenture Interest and Redemption Fund of 1939 sufficient moneys to pay the principal and interest on all 1939 state highway treasury anticipation debentures now outstanding and which are optional for payment in the year 1944.'

"Section 1 apparently should read '1944' instead of '1945'. Will you kindly advise whether or not this error affects the validity of the act?"

Section 5525, Revised Codes of Montana, 1935, provides:

"If conflicting provisions are found in different sections of the same chapter, the provisions of the section last in numerical order must prevail, unless such construction is inconsistent with the meaning of such chapter."

The provisions of Section 1 and Section 6 of the Referendum Measure are conflicting, but by reason of the provision of the general laws of the state, as embodied in Section 5525, *supra*, the provisions of Section 6 must prevail (*State v. Board of Co. Commrs. of Hill Co.*, 56 Mont. 355, 361, 185 Pac. 147; *State ex rel. Tullock*, 72 Mont. 482, 486, 234 Pac. 277; 59 C. J. 999.)

I am, therefore, of the opinion that the conflict in the two sections will not affect the validity of the act, and that the provisions of Section 6 will be controlling.

Sincerely yours,  
R. V. BOTTOMLY  
Attorney General

### Opinion No. 30

#### Statutes—Statutory Construction.

Held: Section 6 of Referendum Measure No. 47 (House Bill No. 256, Chapter 217, Laws of Montana, 1943) will prevail over Section 1, of the measure, being the last in numerical order.

April 1, 1943.

Honorable Sam C. Ford  
Governor of Montana  
State Capitol  
Helena, Montana

Dear Governor Ford:

In connection with Referendum Measure No. 47 (House Bill No. 256, Chapter 217, Laws of 1943), you submit the following request for opinion:

"It is provided in Section 1 of House Bill 256 as enacted by the recent legislative assembly, as follows:

' . . . and to pay the principal and interest in the year 1945 on State Highway Treasury Anticipation Debentures of the State of Montana now outstanding. . . . '

"Section 6 of said Act provides:

' . . . provided further that out of