

OPINION
56-43

January 12, 1956 (OPINION)

COURTS

RE: Clerks, Powers

We are in receipt of your letter of January 4, 1956, enclosing a copy of your opinion to Mr. W. G. Worner, clerk of the district court, together with two letters setting forth the factual situation.

You are asking whether we approve of your opinion that the clerk of the district court is only a ministerial officer and that he is not permitted to act in a judicial capacity and satisfy judgments docketed or on file in his office merely by the fact that the court ordered the property sold under a receivership free and clear of all encumbrances.

We have gone over your opinion and we concur with you.

LESLIE R. BURGUM

Attorney General