

CIRCUIT CLERK AND EX OFFICIO) Circuit Clerk who is ex officio  
RECORDER OF DEEDS: ) recorder of deeds should use the  
seal of the Circuit Court in all  
cases in which a seal is required.

March 11, 1935.



Hon. J. Legerwood,  
Deputy Circuit Clerk  
Clinton County  
Plattsburg, Missouri

Dear Sir:

This will acknowledge receipt of your letter of February 25, 1935, requesting an opinion of this office as follows:

"We would like very much to have your opinion as to the seal we should use in the office of Recorder of Deeds. At the present time we are using the seal of the Circuit Court in both offices, and some question has come up in regard to whether or not that is the proper seal to use or whether we should have new seal made for the office of Recorder, showing the office as Ex Officio Recorder of Deeds.

We should appreciate having your advice in this matter at the earliest possible date, for if we are using the wrong seal, we would like to correct it as soon as possible."

We believe that Section 11532 Revised Statutes of Missouri, 1929, answers your question. Said section reads as follows:

"When the clerk of the circuit court is ex officio recorder of the county, he shall use the seal of said court in all cases in which his official seal is to be affixed."

Hon. J. Legerwood.

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March 11, 1935.

The above section clearly requires a clerk of the Circuit Court who is ex officio recorder to use a seal of the Circuit Court in all cases in which his official seal is to be affixed.

It is therefore the opinion of this office that a Circuit Clerk who is also ex officio recorder of deeds should in all instances in which his official seal is required use the seal of the Circuit Court.

Yours very truly,

JAMES L. HORNBOSTEL,  
Assistant Attorney General

APPROVED:

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ROY McKITTRICK,  
Attorney General

JLH:JET/MM