Right of Way Application, No Filing Fee to Be Charged. Fees, No Filing Fee for Right of Way Application.

A right of way application is not an application to purchase within the meaning of Section 6, Chapter 147, Session Laws of 1909, and no filing fee therefor can be charged.

Helena, Montana, July 2, 1910.

State Board of Land Commissioners,
Helena, Montana.

Gentlemen:—

Your letter of July 1, requesting an opinion as to whether or not

you should charge a filing fee for a right-of-way application, has been received, and in reply will say that Section 6, of Chapter 147, Session Laws of 1909, provides the fees which may be charged, and makes no reference whatever for any fee for filing a right-of-way application, unless it could be construed to come within the provisions of "filing application to purchase, fifty cents."

A right-of-way application is not an application to purchase within the meaning of this section, and no fee should be charged.

Yours very truly,

ALBERT J. GALEN,
Attorney General.