

License Law. Telephone Company, License Of. City,
Definition Of.

Telephone companies doing business in municipalities of less than one thousand population are not subject to the payment of a license under Section 1, Chapter 61, Laws of 1911.

Nov. 25th, 1911.

Fred L. Gibson, Esq.,
County Attorney,
Livingston, Mont.

Dear Sir:

I am in receipt of your letter of the 13th inst., submitting the following question:

Are telephone companies doing business in cities or towns of less than 1000 population liable for the payment of the license required by Section 2, Chapter 61, Laws of 1911?

This chapter provides that telephone companies doing business in cities shall pay the license therein named, but no definition is given of the word cities. It must, therefore, be taken to mean that the legislature had in mind the definition of "city" given in the general law. This definition is included in Sec. 3206, Revised Codes, which provides in substance that a municipal corporation having a population of less than 1000 is a town. Under this statute the provision of Chap. 61 of the Laws of 1911 do not apply to telephone companies doing business in municipal corporations having less than 1000 population.

Respectfully submitted,
ALBERT J. GALEN,
Attorney General.