

Carriers, Railroads. Claims, for Loss or Damage Against Common Carriers.

There is no time provided by the laws of Montana within which claims must be filed against a common carrier, other than that of the statute of limitations.

January 12th, 1914.

Honorable Railroad and Public Service Commission,
Helena, Montana.

Gentlemen:

I am in receipt of your request, under date of the 8th instant, asking for my opinion as to whether or not the statutes provide that claims for loss and damage against common carriers must be filed within a specified time. I have examined our codes and the amendments thereto, and find no provision in the law of this state requiring that claims be filed against a common carrier within any specified time. As to the time within which actions against railroad companies must be begun in a court for the recovery of damages, your attention is called to Chap. 3 of Title 2 of Part 2, being Sec. 6443, et seq. of the Revised Codes of Montana of 1907, prescribing the time within which actions other than for the recovery of real property must be commenced.

Yours very truly,

D. M. KELLY,
Attorney General.