

**Chattle Mortgages and Liens, Fees for Recording Release of.
Fees, for Recording Release of Chattel Mortgages and Liens.**

For marginal release of chattel mortgage or lien, the legal fee is twenty-five cents. For release by separate instrument in writing the legal fee is fifty cents.

February 11th, 1914.

Hon. A. H. McConnell,
County Attorney,
Helena, Montana.

Dear Sir:

Replying to your letter of recent date, wherein you set forth that there is some divergence of opinion as to the fee to be paid a county clerk and recorder for filing release of a lien or chattel mortgage, and requesting an opinion as to the legal fee to be charged for such service, you are advised that under the provisions of Chap. 117 of the Session Laws of the Twelfth Legislative Assembly the county clerk and recorder is entitled to charge:

"For each entry of discharge or satisfaction of mortgage, lien or other instrument on the margin of record thereof, or upon the original instrument, and noting same in index, 25 cents."

Hence, under the provisions of this law, if a lien or chattel mortgage be released by endorsement upon the instrument itself, by a discharge or satisfaction thereof, it is obvious that the legal fee therefor is twenty-five cents. It frequently happens, however, that discharge or satisfaction of liens and mortgages is not affected in this manner, but by the execution of independent instruments filed

for record in the county clerk's office, and when done in this manner
the legal fee is fifty cents. (117, Idem.)

Yours very truly,

D. M. KELLY,
Attorney General.