

**Taxation, Deduction of Debts. Chattel Mortgage, Deduction of as Liability.**

Under the provisions of Section 2501, Revised Codes, 1907, a person is entitled to deduct from his list of credits obligations secured by chattel mortgages executed by him.

April 29, 1914.

Hon. C. F. Gillette,  
County Attorney,  
Hardin, Montana.

Dear Sir:

I am in receipt of your communication under date the 27th instant, submitting to me the question:

"Is a person in listing his property for taxation, entitled to deduct from the credits the amount of a chattel mortgage?"

Under the provisions of Section 2501, Revised Codes of Montana, 1907, a person is entitled to deduct from his list of credits all bona fide debts owing by him. The term "debts" is defined by this section as:

"those secured or unsecured liabilities owing by a person."

This definition certainly would include an obligation secured by a chattel mortgage. I am, therefore, of the opinion that such debts should be deducted from the credits owing to a person, if the provisions of Sec. 2501, requiring the person claiming such a deduction to disclose to the assessor the name or names of the persons to whom the debt is owed, are followed. This is in accordance with the opinion reached by you.

Yours very truly,  
D. M. KELLY,  
Attorney General.