

**County Clerks, Fees of. Fees, of County Clerks for Filing  
Assignment of Chattel Moragage. Chattel Mortgages, Fees  
for Filing.**

Fees for filing assignment of chattel mortgage and satisfaction of chattel mortgage, as indicated herein.

October 9th, 1914.

Hon. H. S. Magraw,  
State Examiner  
Helena, Montana.

Dear Sir:

I am in receipt of your communication under date September 30th, enclosing a copy of a letter from F. E. Williams, county clerk of Yellowstone county. The questions asked by Mr. Williams are as to the proper charges for the satisfaction of a chattel mortgage, and for filing an assignment of a chattel mortgage. In regard to the satis-

faction of chattel mortgage, I am of the opinion that it should take the same rate as any other mortgage, as provided by Chapter 117 of the Session Laws of the 12th Legislative Assembly. That provision provides as follows:

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

In other words, I think the term "mortgage" in this Section is used in a generic sense, and would include chattel mortgages, as well as mortgages of real estate.

As to the assignment of the mortgage, I think that the provision reading,

"For filing and indexing each chattel mortgage, and writ of attachment, execution, certificate of sale, lien or other instrument, required by law to be filed and indexed, fifty cents." would apply.

Yours very truly,

D. M. KELLY,  
Attorney General.