

Secretary of State—Right-of-Way Deeds—Deeds—Recording.

Right-of-way deeds for state highways are conveyances to the state, and under the provisions of section 134 R. C. M. 1921 should be filed and recorded by the secretary of state.

November 17, 1927.

William Powers, Esq.,
Secretary of State,
Helena, Montana.

My dear Mr. Powers:

You have requested my opinion whether right-of-way deeds for

state highway purposes should be filed and recorded with the secretary of state.

Paragraph 4 of section 134 R. C. M. 1921 makes it the duty of the secretary of state "to record in proper books all conveyances made to the state, and all articles of incorporation filed in his office."

Inasmuch as right-of-way deeds are conveyances to the state, it is my opinion that these deeds should be filed and recorded in your office.

Very truly yours,

L. A. FOOT,

Attorney General.