

Chattel Mortgages—Mortgagee—Filing—Address.

The address of the mortgagee is not required to be stated in a chattel mortgage to entitle it to be filed.

Mr. Frank S. Kremer, February 28, 1931.
Assistant Solicitor,
U. S. Department of Agriculture,
Farmers' Seed Loan Office,
Grand Forks, North Dakota.

My dear Mr. Kremer:

You inquire whether under the laws of this state a chattel mortgage upon a crop must contain the postoffice address of the mortgagee.

Section 4805, R. C. M. 1921, as amended by chapter 2, laws of 1929, applies only to those instruments mentioned therein and which are required to be recorded in the office of the county clerk and recorder.

A chattel mortgage is not required to be recorded in Montana and therefore does not come within the provisions of the above-mentioned law. Neither does section 8259 of said codes as amended by section 1 of chapter 14, laws of 1925, have any bearing upon chattel mortgages as by its terms it is limited to assignments of real estate mortgages.

I find no other law in Montana which could have any possible interpretation as requiring the postoffice address of the mortgagee to be stated in a chattel mortgage.

You request that this office notify all recorders in the state of Montana of our conclusion upon this subject. I suggest that you might make copies of this opinion and forward them to the respective county clerks when you forward a crop mortgage for filing.

Very truly yours,

L. A. FOOT,

Attorney General.