

required to discharge only those duties required of them by statute. There is no statutory duty on the part of the Livestock Commission or the Recorder of Marks and Brands to accept and file notices of renewals, assignments or satisfactions of mortgages, except as provided by said chapter and then only upon the payment of the fee therein required to be paid.

It is therefore my opinion that neither the Livestock Commission nor the Recorder of Marks and Brands is required to accept and file such renewals, assignments and satisfactions unless the fees required by said chapter are paid. Although notices of mortgages have heretofore been accepted without fee, this was done voluntarily by the Livestock Commission and Recorder of Marks and Brands, and they are not thereby required to continue such voluntary and free service by accepting notices of renewals, assignments or satisfactions thereof.

Opinion No. 60.

Livestock—Chattel Mortgages, Filing of Notices of Renewals, Assignments and Satisfactions Without Fees—Filing Fees.

HELD: Neither the Livestock Commission nor the Recorder of Marks and Brands is required to accept, without the payment of a fee, notices of renewals, assignments and satisfactions of chattel mortgages covering livestock although the notices of the mortgages were filed prior to the enactment of Chapter 91, Laws of 1935.

March 15, 1935.

Mr. Paul Raftery
Secretary, Montana Livestock
Commission
The Capitol

You have requested my opinion as to whether the Livestock Commission is authorized to collect fees for filing renewals, assignments or satisfactions of mortgages which have been accepted and filed prior to the enactment of Chapter 91, Laws of 1935, passed by the last legislature.

The Recorder of Marks and Brands and the Livestock Commission are