

LIEN.

CHAPTER 88.

THRESHING MADE A LIEN ON GRAIN.

AN ACT Providing for a Lien Upon Grain for Threshing the Same.

Be it Enacted by the Legislative Assembly of the Territory of Dakota:

§ 1. LIEN.] Every person or persons owning and operating a threshing machine shall have a lien from the date of threshing upon all grain threshed by him with such machine for the value of the services so rendered in doing such threshing.

§ 2. PRIORITY.] Said lien shall have priority over all other liens and incumbrances upon said grain created subsequent to the passage and approval of this act, if filed within ten days from the day upon which said threshing was completed.

§ 3. PROVED ACCOUNT FILED WITH REGISTER.] Any person entitled to a lien under this act shall make an account in writing stating the kind of grain and the number of bushels threshed, the price agreed upon for such work, which shall not be in excess of the price usually charged for such services, the name of the person for whom said threshing was done and a description of the land upon which said grain was grown and after making oath to the correctness of the account shall file the same in the office of the register of deeds of the county in which the person owning such grain resides, except when said person resides in an unorganized county, and in such case said statement shall be filed in the county to which said unorganized county is attached for judicial purposes.

§ 4. NOTICE.] It shall be the duty of the register of deeds to file and enter said statements in the manner required by law for the filing and entry of chattel mortgages and he shall be entitled to a fee of ten cents therefor; and the filing of said statement operates as notice to all purchasers and incumbrancers of said property subsequent to the date of said filing.

§ 5. FORECLOSURE.] The said lien may [be] foreclosed by a sale of the property embraced in said lien upon the notice and in the manner provided by law for the foreclosure of chattel mortgages.

§ 6. MISDEMEANOR.] Any person selling, secreting or disposing of property covered by said lien without the written consent of the owner of said lien is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment in the county jail for not to exceed thirty days or by both such fine and imprisonment.

§ 7. REPEAL.] All acts and parts of acts in conflict with this act are hereby repealed.

§ 8. EFFECT WHEN.] This act shall take effect from and after its passage.

NOTE BY THE SECRETARY OF THE TERRITORY.

The foregoing act having been presented to the Governor for his approval, and not having been returned to the House of Representatives, the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

M. L. MCCORMACK,
Secretary of the Territory.

PUBLIC INSTITUTIONS.

CHAPTER 89

INVESTIGATION YANKTON HOSPITAL.

Be it Enacted by the Legislative Assembly of the Territory of Dakota.

§ 1. JOINT COMMITTEE.] That a joint committee consisting of two members of the Council and three members of the House be appointed by the President of the Council and Speaker of the House respectively, to investigate the condition of the Territorial Hospital for the Insane at Yankton, Dakota. It shall be the duty of said committee to make a thorough investigation of the buildings of said institution and of the character and nature of the work done on the recent extensions of said building and of all defects therein, and of the responsibility for the same. The said joint committee shall also make a thorough investigation of the management and conduct of the affairs of said hospital.