

effect, the registers of deeds of the several counties shall not be required to make any record of or perform any duty in regard to marks and brands.

Approved March 8, 1899.

MECHANICS' LIENS.

CHAPTER 109.

[H. B. 159.]

RELATING TO MECHANICS' LIENS.

AN ACT to Amend Section 4788 of Chapter 77 of the Revised Codes of 1895, Relating to Mechanics' Liens.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That section 4788 of the Revised Codes of 1895 be amended to read as follows:

§ 4788. WHO MAY AND FOR WHAT.] Any person who shall perform any labor upon or furnish any materials, machinery or fixtures for the construction or repair of any work of internal improvement or for the erecting, alteration or repair of any building or other structures upon land, or in making any other improvement thereon, including fences, sidewalks, paving, wells, trees, grades, drains or excavations under a contract with the owner of such land, his agent, trustee, contractor or subcontractor, or with the consent of such owner, shall upon complying with the provisions of this chapter, have for his labor done, or materials, machinery or fixtures furnished, a lien upon such building, erection or improvement and upon the land belonging to such owner on which the same is situated, or to improve, which the work was done, or the things furnished, to secure the payment for such labor, material, machinery or fixtures; provided, that no person who furnishes any materials, machinery or fixtures as aforesaid, for a contractor or a subcontractor shall be entitled to file such lien unless he notify the owner of the land by registered letter previous to the completion of said contract that he has furnished such materials, machinery or fixtures.

The owner shall be presumed to have consented to the doing of any such labor or the making of any such improvement, if at the time he had knowledge thereof, and did not give notice of his objection thereto to the person entitled to the lien. The provisions of this section and chapter shall not be construed to apply to claims or contracts for furnishing lightning rods or any of their attachments.

Approved March 7, 1899.