
LIENS.

CHAPTER 87.

[H. F. 155.]

PRIORITY OF THRESHING LIENS.

AN ACT to Amend Section 2 of Chapter 88 of Session Laws of 1889.

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

§ 1. AMENDMENT.] That Section 2 of Chapter 88 of Session Laws of 1889 be amended to read as follows:

“Sec. 2. PRIORITY OF LIEN.] Said lien shall have priority over all other liens and encumbrances upon said grain, created subsequent to the passage and approval of this act if filed within thirty days from the date upon which said threshing was completed.”

§ 2. AMENDMENT.] That Section 5 of said Chapter 88 be amended to read as follows:

“Sec. 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, and the costs and fees for foreclosing shall be the same.”

Approved March 17, 1890.

CHAPTER 88.

[S. F. 151.]

MECHANIC'S LIENS FOR REPAIRING THRESHING MACHINES.

AN ACT Providing for a Lien upon Threshing Engines or Separators for Repairing the Same.

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

§ 1. MECHANIC'S LIEN.] Every mechanic or other person who shall do any labor upon or furnish any materials, machinery or fixtures for any threshing engine, or separator at the request of the owner or legal possessor of said property, shall have a lien on

the same from the date of said repairing for his or their reasonable charges.

§ 2. PRIORITY OF LIEN.] Said lien shall have priority over all other liens or incumbrances upon said threshing engine or separator, created subsequent to the passage and approval of this act, if filed within ten days from the day upon which said labor was performed or materials were furnished.

§ 3. STATEMENT OF ACCOUNT TO BE FILED.] Any person entitled to a lien under this act, shall make an account in writing, stating the kind of engine or separator so repaired, the amount of labor or materials so made or furnished, and the name of the person or persons for whom the said labor was performed, or materials furnished, 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 said threshing machine or separator was repaired, except when said labor was performed in an unorganized county, then in such case said statement shall be filed in the county to which said unorganized county is attached for judicial purposes.

§ 4. FILING TO OPERATE AS 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 (10) cents therefor; and the filing of said statement shall operate as a notice to all purchasers, and incumbrancers of said property for subsequent to the date of said filing.

§ 5. HOW LIEN MAY BE FORECLOSED.] The said lien may be foreclosed by a sale of the mortgaged property embraced in said lien, upon the notice and in the manner provided by law for the foreclosure of chattel mortgages.

§ 6. All acts or parts of acts in conflict with this act are hereby repealed.

Approved March 7, 1890.