
PERSONAL PROPERTY

CHAPTER 182.

[H. B. No. 16—The Speaker.]

LIEN FOR REPAIRS ON PERSONALTY.

An Act to Amend Section 6877, of the Compiled Laws of North Dakota for 1913, Providing for a Lien for Repairs upon Personalty.

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

§ 1. SECTION 6877. LIEN FOR REPAIRS OF PERSONALTY.] Any blacksmith or mechanic having an established place of business within the state who makes, alters, or repairs, any personal property, at the request of the owner or legal possessor of the property, shall have a lien upon the same for his reasonable charges for work done and materials furnished, until the charges are paid, and said lien shall have priority over all other liens, chattel mortgages or incumbrances against said personal property; provided, however, that any person entitled to a lien under this section shall, within thirty days after all materials are furnished or labor performed in altering or repairing such personal property, file in the office of the Register of Deeds of the County, a statement in writing, verified by oath, showing the labor performed, or other materials furnished, the price agreed on for the same, if no price is agreed on then state the reasonable value thereof, the name of the person for whom the work or labor was performed, or to whom materials were furnished, or both, and descriptions of the property upon which lien was claimed; provided, that when the person retains possession of this property so altered or repaired no statement is required to be filed as above provided; provided, that if any person makes, alters or repairs more than one article of the personal property for the same owner or legal possessor thereof, he may include all such articles of personal property so made, altered or repaired, in the same statement and the statement so made shall have the same force and effect to each article enumerated therein as though a separate statement has been filed for each of said articles so made, altered or repaired.

Unless the person entitled to said lien shall file such statement within the time aforesaid, he shall be deemed to have waived his right thereto; provided, further, that the person holding such lien, on property that has been previously encumbered by mortgage, before the foreclosure of same, shall give to the record holder of such mortgage twenty days' notice in writing of his intention to foreclose said lien before beginning action or proceedings for foreclosure of the same, which notice may be served by sending

same in a registered letter addressed to such mortgagee at his last known postoffice address; and provided, further that the holder of any mortgage against property on which lien herein provided for, shall have been filed, may at any time previous to sale, pay off the amount due on such lien, the holder thereof shall assign the same to such person, and thereafter he shall be entitled to all rights that the person filing said lien would have, had the same not been paid.

Approved February 2, 1917.

CHAPTER 183.

[S. B. No. 207—Carey.]

PERSONAL PROPERTY OWNERS.

An Act Requiring the Owners of Personal Property to Notify the County Treasurer of the Sale of such Property at Public Auction, Providing for the Collection of their Personal Property Taxes and Prescribing Dates of Auctioneers in Relation thereto.

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

§ 1. Every owner of personal property who decides to sell such property at public auction shall notify the county treasurer of the county in which such property is to be sold not less than six days prior to the date fixed for the sale by sending to him either a copy of the auction bill, or a notice of such auction sale. And whenever any person has been engaged as auctioneer to sell personal property at public auction, he shall immediately notify the county treasurer of the county in which such property is to be sold that such auction will be held.

§ 2. Upon receipt of such notice or notices, the county treasurer shall ascertain whether the such owner of personal property has paid the personal property taxes assessed against him and if he finds that such taxes are due and owing he shall immediately notify the sheriff of the county in which the sale is held, the amount of any such personal taxes and it shall be the duty of the sheriff to have such taxes collected before said sale takes place, and forward the same to the county treasurer.

§ 3. Any person violating any of the provisions of this Act shall be subject to a fine of not to exceed Five (\$5.00) Dollars for each offense.

Approved March 10, 1917.