

commissioner of insurance. During the pendency of such hearing the rate involved shall be suspended and in the event the final determination shall be that said rate is excessive, any overcharge on account of such rate found to be excessive shall be refunded to the insurer.

§ 4. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of ten thousand dollars (\$10,000.00) or so much thereof as is needed, to pay salaries, traveling and other expenses necessarily incurred by the commissioner of insurance and his department in the administration of this act.

Approved March 11, 1929.

LIENS

CHAPTER 153

(H. B. No. 209—Indergaard.)

REGISTER OF DEEDS INDEX CONTINUING CROP LIENS

An Act providing that the register of deeds shall keep a separate index for continuing crop liens.

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

§ 1. Every register of deeds shall in addition to the registry index provided by Section 6765 of the Compiled Laws of the State of North Dakota for 1913, keep an index of "continuing crop liens", in which it shall be the duty of the register of deeds upon receiving any crop mortgage or other instrument which is a continuing lien upon any crops upon lands within his county which lien affects the crops of two or more crop years, to make an entry in such index of "continuing crop liens", which entry shall be a duplicate of his entry made in the registry index as provided in Section 6765 of the Compiled Laws of North Dakota for 1913.

§ 2. This law shall not be construed to entitle any instrument to be filed in the office of the register of deeds which would not under the laws now in force be entitled to be so filed.

Approved March 11, 1929.

CHAPTER 154

(S. B. No. 164—O. H. Olson and Lynch.)

REPEAL NOTICE AND CONSENT OF OWNER MECHANICS LIEN

An Act to repeal Section 6816 of the Compiled Laws of North Dakota for the year 1913 relating to notice and consent of the owner in order to protect a mechanic's lien.

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

§ I. REPEAL.] That Section 6816 of the Compiled Laws of North Dakota for the year 1913, be, and the same is hereby repealed.

Approved March 11, 1929.

CHAPTER 155

(S. B. No. 163—O. H. Olson and Lynch.)

LANDS SUBJECT TO MECHANICS LIEN—FORECLOSURE
ON BUILDINGS SEPARATE FROM LAND

An Act to amend and re-enact Section 6823 of the Compiled Laws of the State of North Dakota for 1913, relating to lands subject to mechanic's liens, and providing in certain cases for the foreclosure of the lien on the buildings separate from the land; and repealing all acts and parts of acts in conflict herewith.

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

§ I. AMENDMENT.] That Section 6823 of the Compiled Laws of the State of North Dakota for 1913, be, and the same is hereby amended and re-enacted to read as follows:

§ 6823. LAND SUBJECT TO LIEN.] The entire land upon which any such building, erection of or other improvement is situated, or to improve which the labor was done or things furnished, including that portion of the same not covered therewith, shall be subject to all liens created by this chapter to the extent of all the right, title and interest owned therein by the owner thereof for whose immediate use or benefit such labor was done or things furnished and when the interest owned in such land by such owner of such building, erection, or other improvement is only a leasehold interest, the forfeiture of such lease for the non-payment of rent or for non-compliance with any of the other stipulations therein shall not forfeit or impair such lien so far as it concerns such buildings, erections and improvements, but the same may be sold to

satisfy such lien and be removed within thirty days after the sale thereof by the purchaser. In addition to the lien, as hereinbefore provided when material is furnished or labor performed in the erection or construction of an original, complete and independent building, erection or improvement, whether the same has been placed upon a foundation or not, the lien provided for by this chapter shall attach to such building, erection or improvement in preference to any prior title, claim, lien, incumbrance or mortgage upon the land upon which such building, erection or improvement is erected, and upon foreclosure of such lien, such building, erection or improvement may be sold separately from the land, and may be removed from the land within the time herein specified; and in the event of such sale of said building separate from the land and the removal of said building therefrom the same shall be and operate as a full satisfaction and discharge of the lien upon such real estate. It is further provided that at the time the material is furnished, the seller thereof shall notify the purchaser by delivering to him a written notice advising the purchaser that the seller has the right under the lien laws of the State of North Dakota, in the event that there is a default in the payment thereof, to remove, by means of a foreclosure of said lien, said building from the real estate upon which it is placed, regardless of whether or not said building is placed upon a foundation.

§ 2. REPEAL.] All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 12, 1929.

CHAPTER 156

(H. B. No. 174—Steedsman and Aljets.)

PROCEDURE THRESHERS LIEN

An Act to amend and re-enact Section 6855 of the Supplement to the Compiled Laws of North Dakota for 1913.

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

§ 1. AMENDMENT.] That Section 6855 of the Supplement to the Compiled Laws of North Dakota, be and is hereby amended and re-enacted to read as follows:

§ 6855. PROCEDURE TO OBTAIN LIEN.] Any person entitled to a lien under this chapter shall within twenty days after the threshing is completed, file in the office of the register of deeds of the County of which the grain was grown a statement in writing,

verified by oath, showing the kind and quantity of grain threshed, the price agreed upon for threshing the same, either by threshing machines or by combines, either by the acre, the bushel, the hour, or the day; or if no price has been agreed upon then the reasonable value, the name of the person for whom the threshing was done and a description of the land upon which the grain was grown. Unless the person entitled to the lien shall file such statement within the time aforesaid he shall be deemed to have waived his right thereto.

Approved March 11, 1929.

LIVE STOCK

CHAPTER 157

(S. B. No. 92—Committee on Appropriations.)

LIVE STOCK SANITARY BOARD—SALARY, ETC., EXECUTIVE OFFICER

An Act to amend and re-enact Section 2683 of the Compiled Laws of North Dakota for the year 1913, relating to the executive officer of the state live stock sanitary board.

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

§ I. AMENDMENT.] That Section 2683 of the Compiled Laws of North Dakota for the year 1913, be amended and re-enacted to read as follows:

§ 2683. SALARY OF EXECUTIVE OFFICER. BOND. OATH.] The executive officer of the state live stock sanitary board shall receive for his services such annual salary as shall be provided in the general appropriation bill and the payment of such salary shall be made from moneys appropriated for that purpose. Before entering upon the discharge of his duties he shall give a bond to the State of North Dakota with good and sufficient surety in the sum of five thousand dollars, conditioned on the proper discharge of the same. He shall furthermore receive actual expenses incurred and paid by him in the discharge of his duties, and such amounts shall be paid out of the fund appropriated for that purpose. Said executive officer shall, upon entering upon his duties, take an oath well and truly to perform all duties required of him by law, which said oath