

American Institute of Homeopathy preparations fit for beverage purposes, which can only be used by physicians and druggists for compounding purposes as hereinafter provided, may be manufactured, sold, purchased, transported, imported, exported, delivered, furnished and possessed only to be used for any legitimate non-beverage purposes and such preparations and other alcoholic compounds and solutions shall not be sold or used for beverage purposes or sold under circumstances from which the seller may reasonably deduce an intention on the part of the purchaser, to use the same for beverage purposes.

Approved March 7, 1931.

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## LIENS

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### CHAPTER 175

(H. B. No. 179—Cox.)

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#### GARAGE KEEPERS STORAGE LIEN

An Act to provide for a lien for garage keepers for the storage of motor vehicles; providing for the foreclosure of said liens, and the recording of the same.

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

§ 1. All persons engaged in the business of keeping a garage or place for the storage or (of) motor vehicles, and who, in connection therewith store, or keep, any motor vehicle at the request or with the consent of the owner, or person lawfully in possession thereof, whether such owner be a conditional vendee or a mortgagor remaining in possession, or otherwise, shall have a lien upon such motor vehicle, or any part thereof, for the reasonable charges for such storing, and may retain the possession of such motor vehicle or any part or accessory thereof, until such charge shall have been paid, provided, that if such storing is furnished pursuant to an agreement for an agreed price, such lien shall be for the sum so agreed upon.

§ 2. That notwithstanding the voluntary surrender of the motor vehicle, or any part thereof, upon which the lien is claimed, the person who stores or keeps such motor vehicle shall have a lien thereon for his reasonable or agreed charges for the said storing or keeping thereof; if at any time within sixty days after such surrender of possession a statement be filed in the office of the Register of Deeds of the proper county as hereinafter provided, the lien provided for herein shall be subject and inferior only to mortgages and conditional sales contracts properly filed on or before the time when the property comes into the possession of the lien claimant; provided, that any person having possession of any motor vehicle for storage, may

upon the failure of the owner or person who placed said vehicle in his possession for storage, to pay the storage charges therefor, after ten days, remove said vehicle from his garage or other place of storage, without liability to the possessor or owner thereof for such removal.

§ 3. The statement mentioned in the preceding section shall contain the name and postoffice address of the lien claimant; the name of the person requesting the storage or keeping of such motor vehicle; the name of the owner, if known; an itemized account of the charges for which the lien is claimed, and a description of the property upon which the lien is claimed. Such statement shall be verified as true and correct by the lien claimant and shall be filed in the office of the Register of Deeds of the county in which the owner resides, and if he be not a resident of this state, then in the county where such property was stored.

§ 4. The lien created by this chapter may be foreclosed in the manner now provided for the foreclosure of liens on personal property under the provisions of Section 6878 of the Compiled Laws of 1913, and upon such notice as is provided in Section 6877 of the 1925 Supplement, relating to liens for repairs to personal property.

§ 5. It shall be the duty of the Register of Deeds to file the lien created by this chapter as provided under the provisions of Section 6879 of the Compiled Laws of North Dakota for the year 1913.

§ 6. The word "person" as used in this act shall be construed as including all natural persons, associations, partnerships and private corporations.

Approved March 10, 1931.

## CHAPTER 176

(H. B. No. 109—Aljets and Northridge, by Request.)

### LIEN FOR REPAIRS OF PERSONAL PROPERTY

An Act to amend and re-enact Section 6877 of the 1925 Supplement to the Compiled Laws of 1913. An Act providing for a lien for repairs of personalty.

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

§ 1. AMENDMENT.] That Section 6877 of the 1925 Supplement to the Compiled Laws of 1913, be and the same is hereby amended and re-enacted to read as follows

§ 6877. LIEN FOR REPAIRS OF PERSONALTY.] Any blacksmith, machinist, or garage keeper, having an established place of business within the State, who makes, alters or repairs any automobile, engine, threshing machine, or well machine 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 material furnished, including accessories and parts placed upon the same, until the charges are paid, and said lien shall have priority over all other liens, chattel mortgages or encumbrances against said personal property, provided, however, that any person entitled to a lien under this section, shall, within sixty days after 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, materials furnished, the price agreed on for the same, or 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 the 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 personal property for the same owner or legal possessor thereof, he may include all such articles or personal property so made, altered or repaired, within sixty days preceding the filing thereof, in the same statement, and the statement so made shall have the same force and effect as to each article enumerated therein as though a separate statement had 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 lien holder at his last known post office address; and provided, further, that the holder of any mortgage against property on which the 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 the rights that the person filing said lien would have been had the same not been paid.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

Approved March 7, 1931.

## CHAPTER 177

(H. B. No. 215—Steedsman and Aljets.)

## PROCEDURE THRESHERS LIEN

An Act to amend and re-enact Chapter 156, Laws of 1929, relating to lien of threshers of grain.

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

§ 1. AMENDMENT.] That Chapter 156 Laws of 1929 be and the same 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 thirty days after the threshing or combine threshing and harvesting 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 or combine threshed and harvested, the price agreed upon for threshing or combine threshing and harvesting 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.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

Approved March 11, 1931.

## MACHINE GUNS

## CHAPTER 178

(H. B. No. 194—Fitch and Indergaard.)

## PROHIBITING POSSESSION, SALE AND USE OF MACHINE GUNS, BOMBS, ETC.

An Act to prohibit the possession, sale and use of machine guns, sub-machine guns or automatic rifles and defining the same and prohibiting the possession, sale and use of bombs loaded with explosives or poisonous or dangerous gases and providing exceptions and penalties.

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

§ 1. The term "machine gun, sub-machine gun or automatic rifle" as used in this act shall be construed to mean a weapon, mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir, belt or other means of storing