

§ 20. PENALTIES.] Any person who shall work as a master plumber or journeyman plumber for compensation without being a registered and licensed plumber in such classification, shall be fined not less than \$10.00 nor more than \$50.00, or imprisoned in the county jail for not more than 30 days, or by both such fine and imprisonment for each such offense. Each day of violation of this Act shall be a separate offense. Any person who shall do any Act prohibited by this law, or who shall do any act prohibited by the State Plumbing Code, when lawfully promulgated, or fail to do any act required by said Plumbing Code, shall be punished by imprisonment in the county jail for not more than three months, or by a fine of not exceeding \$100.00, or by both such fine and imprisonment. Nothing in this Act shall be construed to prohibit the imposition of additional penalties by cities or villages for violation of municipal ordinances governing the business of plumbing and the installation of plumbing apparatus.

§ 21. Nothing in this Act shall be construed as requiring that licensed or registered plumbers be employed in the performance of any plumbing work in private buildings outside of the corporate limits of cities and villages having water or sewerage systems.

§ 22. REPEAL.] All acts or parts of acts in conflict herewith are hereby repealed.

Approved March 20, 1941.

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## LIENS

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### CHAPTER 188

S. B. No. 53—(Thatcher)

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#### HOUSE-MOVERS LIEN

An Act Providing for a lien in favor of house-movers and providing for the filing, perfection and enforcement of said lien.

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

§ 1. Any house-mover having an established place of business within this State, who has complied with the Workmen's Compensation Act, and who moves any building, under contract with the legal owner or possessor thereof, shall have a lien thereon for his reasonable charges for work done and materials furnished, until such charges are paid; provided, however, that said lien must be

perfected by filing, within thirty days after such moving is completed, a verified statement showing the labor performed and the materials furnished, the price agreed upon or, if no price was agreed upon, the reasonable value thereof, the name of the person for whom the work was performed and a description of the building moved, which statement must be filed in the office of the Register of Deeds of the county in which such building remains after moving. Unless such statement is filed as aforesaid, any lien hereunder shall be deemed to be lost and waived.

§ 2. Such lien shall have priority over all other liens and incumbrance upon such building, except any existing mortgage or lien thereon of record.

Approved February 20, 1941.

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## CHAPTER 189

H. B. No. 222—(Drovdal, Sellens, Anderson, Myers)

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### 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, as amended by Chapter 176 of the Session Laws of 1931, and as amended by Chapter 146 of the Session Laws of 1933, providing for a lien for repairs made on automobiles, trucks, engines, threshing machines, combines, tractors, power-driven farm equipment and well machines. Repeal.

*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, as amended by Chapter 176 of the Session Laws of 1931, and as amended by Chapter 146 of the Session Laws of 1933, be amended and re-enacted to read as follows:

§ 6877. LIENS FOR REPAIRS OF PERSONALTY.] Any blacksmith, machinist, farm equipment dealer or garage keeper, having an established place of business within the state who makes, alters, or repairs any automobile, truck, engine, threshing machine, combine, tractor, power-driven farm equipment 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 charge 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 such lien does not exceed Seventy-five Dollars (\$75.00); any amounts of said lien in excess of Seventy-five Dollars (\$75.00) shall become a lien subject to any prior encumbrance, and provided further 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 of residence of the owner or legal possessor of the property, 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. REPEAL.] All acts or parts of acts in conflict herewith are hereby repealed.

Approved March 20, 1941.