

# LIENS

## CHAPTER 229

S. B. No. 161

(Kee, Klefstad, Wadeson, George and Livingston)

### MOTOR VEHICLE MORTGAGE SHOWN ON TITLE

#### AN ACT

To amend and reenact section 35-0406 of the North Dakota Revised Code of 1943 relating to the filing of chattel mortgages, and requiring the chattel mortgage be shown on a certificate of title to a motor vehicle.

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

§ 1. **Amendment.)** Section 35-0406 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**35-0406. Mortgage Void As To Creditors Unless Filed; Chattel Mortgage On Motor Vehicle Must Be Shown On Certificate Of Title.)** Mortgage of personal property is void as against creditors of the mortgagor and subsequent purchasers and encumbrancers of the property in good faith for value, unless the original or an authenticated copy thereof is filed by depositing it in the office of the register of deeds of the county where the property mortgaged, or any part thereof, is situated at the time of filing.

No chattel mortgage filed against a motor vehicle shall be valid as against subsequent purchaser and encumbrancers in good faith for value unless the chattel mortgage is also clearly indicated upon the certificate of title to the motor vehicle, or unless the original certificate of title to the vehicle is in the possession of the mortgagee.

Approved March 12, 1957.

## CHAPTER 230

S. B. No. 56  
(Holand)

## RECORDING NOTICE OF INTENTION TO FILE LIEN

## AN ACT

To amend and reenact section 35-1209 of the North Dakota Revised Code of 1943, relating to recording of notice of intention to file a lien.

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

§ 1. **Amendment.)** Section 35-1209 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**35-1209. Clerk Of Court To Record Notice.)** The clerk of court shall file and record the notice of intention to file a lien in a book entitled "book of mechanics' liens notice." The fee for such filing, indexing and recording shall be one dollar.

Approved March 2, 1957.