

CHAPTER 179.

TO PROTECT SUB-CONTRACTORS.

AN ACT to Protect Subcontractors for Labor Performed, and Material Furnished for Public Buildings and Improvements. [Additional to Ch. 100 of the Acts of the 16th General Assembly.] S. F. 400. -

Be it enacted by the General Assembly of the State of Iowa.

SECTION 1. Every mechanic, laborer or other person who as subcontractor shall perform labor upon, or furnish materials for the construction of any public building or bridge or other improvement not belonging to the state, shall have a valid claim against the public corporation constructing such building, bridge, or other improvement for the value of such services and material, in an amount not in excess of the contract price to be paid for the building, bridge or other improvement nor shall any such corporation be required to pay any such claim, at any time before, or in any manner different from that provided in the principal contract. Who may have a lien.

SEC. 2. Such claim shall be made by filing with the public officer through whose order the payment is to be made, an itemized and sworn statement of the demand within thirty days after the performance of the last labor, or the furnishing of the last portion of the material, and claims shall have priority in the order in which they shall be filed. How lien shall be made.

SEC. 3. Any party in interest may cause the adjudication as to the amount, validity, priority and mode and time of payment, of such claim by equitable proceedings in any court having jurisdiction. In such case the court may assess a reasonable sum to be taxed as attorney's fees against the party failing in such action in favor of such corporation. How adjudicated.

SEC. 4. The contractor may at any time release such claim by filing with the treasurer of such corporation a bond, to such corporation, for the benefit of such claimants in sufficient penalty with sureties to be approved by such treasurer, conditioned for the payment of any sum which may be found due such claimant. And such contractor may prevent the filing of such claim by filing in like manner a bond conditioned for the payment of persons who may be entitled to file such claims. Suit may be brought on said bond by any claimant within one year after the cause of action accrues, and judgment shall be rendered against the principal and sureties for any amount due said claimant. Contractor may release claim by filing bond. May prevent filing claim, by filing bond.

Approved, April 7, 1884.