

A BILL

FOR AN ACT PROVIDING THAT OWNERS OF THRESHING MACHINES SHALL HAVE A LIEN UPON THE GRAIN THRESHED THEREWITH FOR THE CHARGE MADE FOR THRESHING SAID GRAIN.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. That the owner or operator of any threshing machine shall have a prior lien upon the grain threshed therewith to secure the amount due said owner or keeper on account of the services rendered in threshing said grain. The lien herein provided for shall remain in force for a period of three months from and after the date of completing said job of threshing, and it shall not be enforced thereafter.

Sec. 2. The owner or keeper of such threshing machine may enforce the lien herein provided for by placing in the hands of any constable in the county where the work was performed, an affidavit setting forth in detail the kind and quantity of grain threshed the place where said work was done, the dates when the said threshing was commenced and completed, the rates charged per bushel together with the total amount of such charge, the amount of payments made, if any, the amount then justly due and owing to the owner or keeper of such threshing machine, the name of the reputed owner of said grain, together with the name of the person requesting that said work be done, and also that the affiant knows of no reason why the claim made is not true, correct, just and equitable. The constable shall thereupon take possession of a sufficient quantity of said grain to pay the amount due said owner or keeper for the threshing of said grain and sell the same for non-payment of said charge. He shall first give the owner of said grain ten (10) days written notice, which notice shall contain a copy of the affidavit, the time and hour and when and the place at which the sale will take place. He shall also post for the same length of time in three public places in the township of such owner's residence a copy of such notice. If payment of the amount due for threshing said grain and costs then incurred are not made before the date thus fixed, the constable may sell at public auction to the highest bidder such grain and the owner or keeper of the threshing machine may be a bidder at such sale. The constable shall apply the proceeds first to the payment of the costs, second to the payment of the amount due for the threshing of said grain, and the surplus, if any, arising from such sale shall be returned to the owner of the grain.

Sec. 3. The right of the owner or keeper of said threshing machine to foreclose his lien
2 in the manner provided above, as well as the amount claimed to be then due and owing said
3 owner or keeper, may be contested by any one interested in so doing and the proceeding may
4 be transferred to the district court, for which purpose an injunction may issue if necessary.