

CHAPTER 140.

MECHANICS' LIENS.

APRIL 14, AN ACT to Amend the Law in Respect to the Liens of Mechanics and Others.

SECTION 1. *Be it enacted by the General Assembly of Revision : §1847 the State of Iowa, That section 1847 of the Revision of amended. 1860, is hereby amended by adding thereto the following:*

Provided, That any such sub-contractor may at any time within six months after his work or labor is done, or his materials furnished, make a statement thereof in writing, supported by affidavit that the same is just and true, and that the amount claimed is still justly due and owing to him, and may file the same with the clerk of the district court, in manner as aforesaid, and thereafter give notice thereof with a copy of such statement to the owner or proprietor, his agent or trustee, and to the contractor; and from and after the service of such notice his lien therefor shall have the same force and effect and be prosecuted in like manner as a lien by the contractor, but shall be enforced against the property only to the extent of the balance due to the contractor at the time of the service of such notice upon the owner or proprietor, his agent or trustee."

SEC. 2. All suits to enforce the several liens provided for in chapter 79 of the Revision of 1860, may be commenced at any time within two years from the time of filing the statement or claim for the lien as therein provided ; but upon written demand by the owner of the

property or his agent, served on the claimant of the lien, such suit shall be commenced within thirty days from the service of such notice ; and the provisions of this section shall apply to all liens heretofore filed and not foreclosed

but on demand shall be commenced within 30 days, or lien to be forfeited. Application of by settlement or otherwise ; and, if the claimant shall fail to bring his suit within the thirty days after such demand shall be served on him by the owner, his lien shall be forfeited.

SEC. 3. Section 1865 of the Revision of 1860 is hereby repealed: *Provided, That nothing in this act contained shall be construed to affect or prejudice the rights of any bona fide purchaser, without notice, of property to which any lien may have attached prior to the passage of this act.*

Revision : §1865
repealed.

Proviso.

SEC. 4. This act shall take effect and be in force from ~~taking effect,~~
and after its publication in the Daily Iowa State Register
and the Daily Bulletin, newspapers published at Des Moines, Iowa.

Approved, April 14th, 1870.

I hereby certify that the foregoing act was published in the *Daily Iowa State Register*, April 26, and in the *Des Moines Daily Bulletin*, April 26, 1870,

ED WRIGHT, *Secretary of State.*

CHAPTER 141.

TOWN OF PRAIRIE CITY.

AN ACT to Legalize the Incorporation of the Town of Prairie APRIL 14.
City, Jasper County, Iowa

WHEREAS, The qualified electors of the town of Prairie ~~Preamble.~~
City in Jasper county, Iowa, did comply with the laws of
the 12th General Assembly, in submitting to the electors
the question of incorporation of said town; and

WHEREAS, Upon submitting said question to the qualified voters thereof as required by the provisions of said laws, the same was duly adopted and ratified; and

WHEREAS, The judge of said county failed to file and have recorded in the office of the recorder of said county the petition together with the description and plat of said town, and further failed to deposit a copy of the same with the Secretary of State as provided in said act; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the incorporation of the said town of Prairie City be and the same is hereby legalized as fully and effectually as if the said county judge had filed in the office, and had recorded in the records of said county, and deposited with the Secretary of State, the petition together with the description and plat of said town, as required by the provisions of chapter 61 of the laws of the 12th General Assembly.

Incorporation of
Prairie City leg-
alized, as if pap'rs
had been prop-
erly filed.

SEC. 2. That all ordinances and by-laws enacted or adopted by the council of said town, shall have the same force and effect as if the law had been fully complied with.

Ordinances and
by-laws same.