

A GOOD BILL.

Hon. R. A. Irvine has introduced the following bill in the Senate. It explains itself:

A Bill for an Act to protect Contractors, Sub-Contractors and Laborers in their claims against Railroad Companies or Corporations, Contractors or Sub-Contractors.

Be it enacted by the Legislative Assembly of the State of Oregon:

Section 1. That any or all person or persons who shall hereafter as sub-contractor, material man or laborer, furnish to any contractor to any railroad corporation any fuel, ties, materials, supplies or other article or thing, or who shall do or perform any work or labor for such contractor in conformity with any terms of any contract, express or implied, which such contractor may have made with any such railroad corporation, shall have a lien upon all property, real, personal and mixed, of said railroad corporation; provided, such sub-contractor, material man or laborer shall have complied with the provisions of this Act; but the aggregate of all liens hereby authorized shall not in any case exceed the price agreed upon in the original contract to be paid by such corporation to the original contractor; and provided further, that no such lien shall take priority over existing liens.

Section 2. The person performing such labor shall cause a notice in writing to be served on such officer of said corporation as the service of summons may be made, which said notice may be in the following form, or any similar form:

"To the . . . (name of the company) . . . : You are hereby notified that I am (or have been) employed by . . . as a laborer (or have furnished supplies, as the case may be,) on or for the . . . and that I shall hold all the property of said railroad company to secure my pay."

If there shall be a contractor and sub-contractor, material man or laborer, a copy of the original contract shall be served with such notice and attached thereto, which notice shall be served at any time within twenty days after the completion of such sub-contract or such labor.

Section 3. If for any reason service of such notice can [not] be made in the county [in] which the sub-contract was made or labor performed, or material furnished, the laborer or person furnishing labor or material shall file said notice in the office of the clerk of [the] circuit court, and such clerk shall keep a record of said notice and cause a copy of the same to be mailed to the head office of said company, and to keep a list of the names of persons so claiming a lien, the names of the corporations against which such liens are claimed and the amount claimed.

Section 4. If the money due the person having given notice as aforesaid shall not be paid within ten days after the money shall become due and payable, then such person may commence suit therefor in any court having jurisdiction of the amount claimed to be due against the corporation with which the original contract was made; or he may commence suit as aforesaid against such railroad corporation and original contractor jointly, and execution may issue thereon as in other cases.

Section 5. Should the original contractor in any case fail to complete his contract, any person entitled to a lien as aforesaid may file his petition in any court of record in any county through which the road may be constructed against the railroad corporation and the contractors, setting forth the nature of his claim and the amount due, as near as may be, and the fact that the contractor has failed to complete his contract. The clerk of said court shall thereupon issue a citation directed to all persons or corporations interested in the matter set forth in the petition, to be published in some newspaper printed in and of general circulation in the county, for four successive weeks, setting forth that said petition has been filed, and the nature thereof, and that all persons interested may appear and file such claim as they may have at a time to be stated in such citation; and the court, on the hearing of said petition, and the claims of such persons as may interplead, may render such a decree against said corporation as may be due to the petitioner and such persons as interplead; and such decree shall have the effect as other decrees against such original contractor and against said railroad corporation, and execution may issue upon the same to enforce such decree against either.

Section 6. Whenever any suit so brought shall be determined in favor of the plaintiff or petitioner, the court shall allow such attorney's fees as may be reasonable to be taxed as costs.

Section 7. Inasmuch as there is now no law upon this subject, and it is of importance to laborers and material men, this Act shall take effect from and after its approval by the Governor.

A Portland exchange speaking of the late trouble about the laborers of Searle & Deane getting their money speaks of the O. P. company always having trouble with their employees. It might add something to the stock of knowledge of that paper to say that the trouble was between Searle & Deane and their laborers and not between the laborers and the O. P. company. We have it from reliable authority that the O. P. company voluntarily procured the means by which the laborers of Searle & Deane were paid for their labor.

That bill of Looney's to create boards of county school commissioners would not inure to the benefit of the people. Under it no two counties in the state would probably have exactly the same kind of text-books and every time a family moved from one county to another a new set of books in part or whole would have to be purchased.

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Ich on parle Francais. Hier wird deutsch gesprochen.

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