

# MAINE STATE LEGISLATURE

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# DOCUMENTS

PRINTED BY ORDER OF

## THE LEGISLATURE,

OF THE

## STATE OF MAINE,

DURING ITS SESSION

A. D. 1837.

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*AUGUSTA:*  
SMITH & ROBINSON,.....PRINTERS.

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1837.

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# SEVENTEENTH LEGISLATURE.

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No. 27.

SENATE.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND THIRTY SEVEN.

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AN ACT to secure to Mechanics and others,  
payment for their labor and materials expended  
in erecting and repairing houses and other build-  
ings, with their appurtenances.

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SECTION 1. *Be it enacted by the Senate  
2 and House of Representatives in Legislature  
3 assembled, That when any contract or agree-  
4 ment shall be hereafter made, in writing, for  
5 the erecting, repairing or altering any house or  
6 other building or their appurtenances; or for  
7 furnishing labor or materials for the purposes  
8 aforesaid, the person or persons who shall in  
9 pursuance of such contract or agreement, have  
10 furnished work, labor or materials for such pur-  
11 pose, shall have a lien to secure the payment of*

12 the same upon such house or building, and the  
13 lot of land on which the same stands, and upon  
14 the right of redeeming the same, when it shall  
15 have been conveyed in mortgage—and the lien  
16 hereby created shall continue and be in force  
17 for the space of ninety days from the time when  
18 the last charge shall be made for such labor,  
19 work or materials furnished, or when payment  
20 shall become due for the work, labor, or mate-  
21 rials furnished as aforesaid.

SECT. 2. *Be it further enacted*, That the  
2 person or persons, furnishing such labor or  
3 materials may secure their lien aforesaid, by an  
4 attachment of said house, building, land and  
5 the right of redeeming the same, within said  
6 time of ninety days, and said attachment shall  
7 have precedence of all other attachments, where  
8 no such lien exists.

SECT. 3. *Be it further enacted*, That when  
2 the debtor shall tender to the person or persons,  
3 furnishing such labor or materials, the sum justly  
4 due to him or them, said house, building, land  
5 and the right of redeeming the same shall be  
6 discharged from said lien.

SECT. 4. *Be it further enacted*, That said

2 lien shall not attach or exist, unless said contract  
3 or agreement shall be recorded in the office of  
4 the clerk of the town, city or plantation where  
5 the land is situate, upon which said house or  
6 building is erected, within ten days from the  
7 time of making said contract or agreement.  
8 And it shall be the duty of said clerk to record  
9 the same, and he shall be entitled to receive  
10 therefor the same fees, as are fixed by law for  
11 the recording of deeds. And if any clerk afore-  
12 said shall neglect to record the same, after his  
13 fees shall have been tendered to him, he shall  
14 pay to the injured party all damages, which  
15 may arise from such neglect, to be recovered by  
16 an action on the case.

SECT. 5. *Be it further enacted,* That all  
2 Acts and parts of Acts inconsistent with the pro-  
3 visions of this Act, be and the same are hereby  
4 repealed.

**STATE OF MAINE.**

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**IN SENATE, MARCH 8, 1837.**

**ORDERED**, that 500 copies of this bill be printed for the use of the Legislature.

(Extract from the Journal.)

Attest,

**WILLIAM TRAFTON**, Secretary.