

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND FIRST LEGISLATURE

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**Legislative Document**

**No. 29**

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S. P. 36

In Senate, January 9, 1963

Referred to the Committee on Judiciary, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Farris of Kennebec.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-THREE

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### **AN ACT Extending Time for Filing Actions to Enforce Lien Claims.**

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Be it enacted by the People of the State of Maine, as follows :

**Sec. 1. R. S., c. 178, § 38, amended.** Section 38 of chapter 178 of the Revised Statutes, as amended by section 391 of chapter 317 of the public laws of 1959, is further amended to read as follows :

‘**Sec. 38. Liens preserved and enforced by action.** The liens mentioned in sections 34 to 37 may be preserved and enforced by action against the debtor and owner of the property affected and all other parties interested therein, filed with the clerk of courts in the county where the house, building or appurtenances, wharf, pier or building thereon, on which a lien is claimed, is situated, within ~~90~~ **180** days after the last of the labor or services are performed or labor, materials or services are so furnished, and not afterwards, except as provided in section 39.’

**Sec. 2. R. S., c. 178, § 39, amended.** The first sentence of section 39 of chapter 178 of the Revised Statutes, as amended by section 392 of chapter 317 of the public laws of 1959, is further amended to read as follows :

‘When the owner dies, is adjudicated a bankrupt or a warrant in insolvency issues against his estate within the ~~90~~ **180** days and before the commencement of an action, the action may be commenced within 60 days after such adjudication, or after notice given of the election or appointment of the assignee in insolvency, executor or administrator, or the revocation of the warrant.’

**Sec. 3. R. S., c. 178, § 40, amended.** The 5th sentence of section 40 of chapter 178 of the Revised Statutes, as amended by section 393 of chapter 317 of the public laws of 1959, is further amended to read as follows :

'Other lienors may become parties and preserve and enforce their liens on said property, provided their complaints therefor, setting forth their claims in substance as required in a complaint, be filed with the clerk within ~~90~~ 180 days after the last labor or services are performed or the last labor, materials or services are furnished by them, or within the additional time prescribed in section 39.