

# MAINE STATE LEGISLATURE

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# Sixty-Fifth Legislature.

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HOUSE.

No. 216.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND NINETY-ONE.

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AN ACT to amend section thirty-eight of chapter ninety-one of the Revised Statutes, as amended by chapter one hundred and eighty-three of the Public Laws of eighteen hundred and eighty-nine, relating to liens on lumber.

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*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

SECTION 1. Section thirty-eight of chapter ninety-one  
2 of the Revised Statutes as amended by chapter one hun-  
3 dred and eighty-three of the Public Laws of eighteen  
4 hundred and eighty-nine is hereby amended by inserting  
5 after the word "employed" in the fourth line of said sec-  
6 tion the words, 'or furnishes supplies for actual use in  
7 such operations,' and by inserting after the word "team"  
8 in the sixth line, the words 'and for such supplies,' and  
9 by adding after the word "equity" in the last line, the

10 following words, *provided, however*, that the lien for  
11 supplies shall be subject to the labor lien and shall not be  
12 enforced unless the person claiming such lien, within ten  
13 days from the time the first supplies are so furnished, and  
14 as often as once in thirty days thereafter while such sup-  
15 plies are being furnished, gives the owner of said logs or  
16 lumber notice in writing stating the value of the supplies  
17 so furnished and his intention to claim such lien. Notice  
18 so given to one co-partner of a firm or to the agent or any  
19 officer of a corporation or to any person having charge of  
20 such property for the owner, shall be deemed sufficient,  
21 so that said section as amended, shall read as follows :

‘Section 38. Whoever labors at cutting, hauling, raft-  
23 ing or driving logs or lumber, or at cooking for persons  
24 engaged in such labor, or in shoeing horses or oxen or  
25 repairing property while thus employed, or furnishes sup-  
26 plies for actual use in such operations, has a lien on the  
27 logs or lumber for the amount due for his personal ser-  
28 vices, and the services performed by his team, and for  
29 such supplies which takes precedence of all other claims,  
30 except liens reserved to the State; continues for sixty  
31 days after the logs or lumber arrive at the place of desti-  
32 nation for sale or manufacture, and may be enforced by  
33 attachment. In such actions the court has the same power  
34 to allow and apportion costs as in equity. *Provided,*  
35 *however*, that the lien for supplies shall be subject to the  
36 labor lien and shall not be enforced unless the person  
37 claiming such lien, within ten days from the time the first  
38 supplies are so furnished, and as often as once in thirty  
39 days thereafter while such supplies are being furnished,  
40 gives the owner of said logs or lumber notice in writing

41 stating the value of the supplies so furnished and his  
42 intention to claim such lien. Notice so given to one co-  
43 partner of a firm or to the agent or any officer of a corpo-  
44 ration or to any person having charge of such property  
45 for the owner, shall be deemed sufficient.'



### MAJORITY REPORT.

The Committee on Judiciary to which was referred the Order of the Legislature relating to liens on lumber have had the same under consideration, and ask leave to report that legislation thereon is inexpedient.

RYDER,  
POWERS,  
STEARNS,  
PAYSON,  
SAVAGE,  
CLASON.

### MINORITY REPORT.

The Committee on Judiciary to which was referred the Order of the Legislature relating to liens on lumber, have had the same under consideration, and ask leave to report the accompanying bill "An Act to amend section thirty-eight of chapter ninety-one of the Revised Statutes as amended by chapter one hundred and eighty-three of the Public Laws of eighteen hundred and eighty-nine relating to liens on lumber.

CHADBOURNE,  
HERRICK,

*For the Committee.*



STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
March 6, 1891. }

Tabled, pending acceptance of either report, by Mr. HERRICK of  
Bethel, and both reports and bill ordered printed.

W. S. COTTON, *Clerk.*