

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 272

S. P. 210

In Senate, February 2, 1949.

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Crosby of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Liens on Logs, Lumber or Pulpwood for Advances of
Money or Merchandise.

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

R. S., c. 164, amended. Chapter 164 of the revised statutes is hereby amended by adding thereto a new section to be numbered 55-A, to read as follows:

‘Sec. 55-A. Liens on logs, lumber or pulpwood for advances of money or merchandise. Whoever makes an advance or series of advances of money or merchandise to the owner of, or person entitled to the possession of, any logs, lumber or pulpwood for the purpose of financing or furnishing supplies for the cutting, hauling, rafting, booming, driving or towing of the same, shall have a lien for the amount of all such advances, which shall take precedence over all other claims, except liens for labor, stumpage, towing or driving, upon all of such logs, lumber and pulpwood on which he or it has caused his or its registered mark to be placed, and such lien with respect to each such advance or series of advances shall continue for 1 year after the making of the last such advance, and may be enforced by attachment. The term “registered mark” as used in the foregoing sentence means a mark described in a certificate of registration issued by the secretary of state pursuant to the provisions of the following paragraph and recorded

in the registry of deeds for the county or registry district of a county in which such logs, lumber or pulpwood were situated when such registered mark was placed thereon.

Any person, firm or corporation desiring to appropriate for his or its own exclusive use any distinctive mark to be placed upon logs, lumber or pulpwood for identification, may file a copy of such mark, accompanied by a statement claiming the exclusive use thereof for such purpose, with the secretary of state, who, if satisfied that such mark is not the duplicate of, or so closely resembles as to cause confusion, any such mark theretofore registered in his office, shall register such mark and issue to and in the name of such person, firm or corporation a certificate of registration of such mark. The person, firm or corporation in whose name such certificate of registration is issued shall be entitled to the exclusive use of the mark therein described for all purposes of this section. Upon request the secretary of state shall issue certified copies of such certificates of registration upon payment of the fees hereinafter provided therefor.

A copy of any such certificate of registration, certified by the secretary of state, may be recorded in any registry of deeds upon payment of the fee hereinafter provided therefor.

The secretary of state shall receive a fee of \$5 for the registering of each such mark, which fee shall cover issuance of the certificate of registration thereof, and a fee of \$1 for the issuance of each certified copy of such certificate. Registers of deeds shall receive a fee of \$1 for recording a certified copy of any such certificate of registration.'