

MAINE STATE LEGISLATURE

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

Legislative Document

No. 56

S. P. 43

In Senate, January 20, 1953

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Weeks of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT Relating to Liens on Certain Personal Property.

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

R. S., c. 164, §§ 68 - 70-A, repealed and replaced. Sections 68 to 70, as amended, and section 70-A as enacted by chapter 73 of the public laws of 1947, of chapter 164 of the revised statutes, are hereby repealed and the following sections enacted in place thereof:

‘Sec. 68. Lien on watches, clocks, jewelry, clothes, electric motors, major and traffic appliances, electronic equipment and musical instruments.’ Every individual, partnership or corporation, having an established place of business in this state, engaged in making, altering, repairing or cleaning any watch, clock, jewelry, electric motor, major and traffic appliance, radio and other electronic equipment, musical instruments, and in cleaning, repairing or pressing of clothes, or expending any labor or materials thereon, shall have a lien upon said watch, clock, jewelry, clothes, electric motor, major and traffic appliance, radio and other electronic equipment and musical instrument for a reasonable compensation for said labor and materials, which shall take precedence of all other claims and incumbrances, and such watch, clock, jewelry, clothes, electric motor, major and traffic appliances, radio and other electronic equipment and musical instrument shall be exempt from attachment or execution until such lien and the cost of enforcing it are satisfied.

Sec. 69. May be sold after 6 months; provisions. The lien holder shall retain such watch, clock, jewelry, clothes, electric motor, major and traffic appliance, radio and other electronic equipment and musical instrument for a period of 6 months, at the expiration of which time, if such lien is not satisfied, he may sell such watch, clock, jewelry, clothes, electric motor, major and traffic appliance, radio and other electronic equipment and musical instrument at public or private sale, after giving 30 days' notice in writing to the owner, specifying the amount due, describing the property to be sold, and informing him that the payment of such amount within 30 days shall entitle him to redeem such property. Such notice may be given by mailing the same addressed to the owner's place of residence if known, or if the owner's place of residence is unknown, a copy of such notice may be posted by the holder of such lien in 2 public places in the town, village or city where the property is held.

Sec. 70. Residue, if not claimed by owner. After satisfying the lien and any cost and expenses that may have accrued, any residue remaining from said sale shall, on demand within 6 months, be paid to the owner, and if not so demanded within 6 months from such sale, such residue shall become the property of the lien holder.'