

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 1395**

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S. P. 485

In Senate, March 26, 1957

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Butler of Franklin.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-SEVEN

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**AN ACT to Provide for Liens on Real Estate by Judgment.**

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

**R. S., c. 178, §§ 33-A - 33-F, additional.** Chapter 178 of the Revised Statutes is hereby amended by adding thereto 6 new sections to be numbered 33-A to 33-F, inclusive, to read as follows:

**‘Liens on Real Estate by Judgment.**

**Sec. 33-A.** Judgments to constitute real estate liens. In all actions which may be commenced by the attachment of real estate, final judgment shall become a lien on the real estate of the defendant, not exempt from attachment, situated in any county from the time of filing in the registry of deeds in the county or counties where such real estate is situated a copy of the execution certified by the clerk of courts, judge or recorder, providing such recording is made within 30 days of the date of final judgment.

**Sec. 33-B.** Expiration of judgment liens. When in the same action a real estate attachment is in force in the county where the real estate is situated, the judgment lien shall replace said attachment and by filing the certified copy of the execution, the plaintiff may continue all of his rights to levy and sale on execution during the existence of said judgment lien. Liens replacing attachments shall expire 5 years from the date of filing of attachment unless brought forward. Liens which do not replace real estate attachments shall expire 5 years from filing unless brought forward.

**Sec. 33-C.** Bringing forward of judgment liens. Judgment liens may be brought forward in the same manner and for the same periods as real estate

attachments except that none shall be so brought forward except on filing of a certified copy of an alias execution certified as provided in section 33-A.

Sec. 33-D. Priority of judgment liens. From the date of filing of real estate attachment, or when none has been made, from the date of filing certified copy of execution, a judgment lien shall have the same priority as a real estate mortgage.

Sec. 33-E. Enforcement. Real estate subject to a judgment lien may be taken and sold as on execution.

Sec. 33-F. Fees. A fee of 50c shall be paid to the clerk of courts, judge or recorder for certified copies of execution and alias executions. A fee of \$1.50 shall be paid to the register of deeds for recording such certified copies of execution and alias executions.'