

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1851.

Published by the Secretary of State, agreeably to resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1851.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1851.

Chapter 216.

CHAP. 216.

An act to amend an act entitled "an act giving to laborers on lumber a lien thereon," approved August tenth, one thousand eight hundred and forty-eight.

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

SECT. 1. The seventy-second chapter of the public laws Amendments.
enacted in the year one thousand eight hundred and forty-eight shall be amended by adding to the first section of said act, the following words : and any action brought to recover the amount due for such labor, shall be maintained notwithstanding the decease of the party for whom the labor was performed, either before or after the commencement of such action, and the representation of his estate as insolvent ; and the administrator or executor shall be holden to answer to any such action ; and if the plaintiff in such case shall prevail, he shall be entitled to judgment and execution for his debt or damages and costs, and he may cause the same to be levied on the logs and lumber aforesaid ; nor shall any such action or lien be defected by reason of the plaintiff's having liquidated the amount due, and received a promissory note therefor, unless it shall have been expressly taken in discharge of the amount due and of said lien ; so that said section, as amended, shall read as follows :

SECT. 1. Any person who shall labor at cutting, hauling or driving logs, masts, spars or other lumber, shall have a lien on all logs and lumber he may aid in cutting, hauling or driving as aforesaid, for the amount stipulated to be paid for his personal services and actually due. And such lien shall take precedence of all other claims except liens reserved by the state of Maine or the commonwealth of Massachusetts for their own use ; and the lien shall continue sixty days after the logs, masts, spars or other lumber subject thereto shall have arrived at their place of destination, previous to being rafted for sale or manufacture. And any action brought to recover the amount due for such labor, shall be maintained, notwithstanding the decease of the party for whom the labor was performed, either before or after the commencement of such action, and the representation of his estate as insolvent ; and the administrator or executor shall be holden to answer to any such action ; and if the plaintiff shall prevail, he shall be entitled to judgment and execution for his debt or damages and costs ; and he may cause the same to be levied on the logs and lumber aforesaid. Nor shall any such action or lien be defected by reason of the plaintiff's having liquidated the amount due and received a promissory

Lien created on lumber, for cutting, hauling or driving.

CHAP. 217. note therefor, unless it shall have been expressly taken in discharge of the amount due and of said lien.

SECT. 2. This act shall take effect and be in force from and after its approval by the governor.

[Approved June 3, 1851.]

Chapter 217.

An act providing for the time when the acts and resolves which have been passed by this legislature shall take effect.

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

When certain
acts and resolves
take effect.

SECT. 1. All acts and resolves passed by this legislature, prior to the adjournment thereof to the first Wednesday of January next, shall take effect from and after their approval by the governor, unless the provisions of any act or resolve otherwise prescribe.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved June 3, 1851.]