

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA
KENNEBEC JOURNAL PRINT
1897

PUBLIC LAWS
OF THE
STATE OF MAINE.

1897.

Chapter 232.

An Act to amend Chapter thirty of the Public Laws of eighteen hundred and ninety-five, relating to Liens on Buildings.

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

Sect. 1. In addition to the remedy provided by chapter thirty of public laws of eighteen hundred and ninety-five, the liens mentioned in sections thirty, thirty-one, thirty-two and thirty-three of chapter ninety-one of the revised statutes may be enforced by attachment in actions at law commenced in any court having jurisdiction, in the county where the house, building or appurtenances on which a lien is claimed is situated, which attachment shall be made within ninety days after the last of the labor is performed, or labor or materials are furnished.

How liens mentioned in chapter 91, R. S., may be enforced.

Sect. 2. When two or more proceedings, either at law or in equity, are pending at the same time, in whatever court or courts, to enforce liens on the same house, building or appurtenances, upon petition of any lienor who has commenced such proceedings, or of the owner of the building, a justice of the supreme judicial court, after notice and hearing, in term time or vacation, may, if justice requires it, order all such actions not then pending in the supreme judicial court to be transferred thereto, and require the parties in all such proceedings, in whatever court commenced, to plead in equity, substantially in the manner prescribed in section three of said chapter thirty of the public laws of eighteen hundred and ninety-five, and thereafter all the proceedings shall be in accordance with the provisions of said chapter thirty; and while such petition is pending all such actions shall stand continued.

When two or more proceedings are pending at the same time, such actions, after notice and hearing may be transferred to supreme judicial court.

Sect. 3. When a judgment is rendered in any suit authorized by this act, against any house, building or appurtenances, and the land on which it stands, or any interest that the owner of such house, building or appurtenances has in such land, said property shall be taken and sold on execution in the same manner that rights of redeeming mortgaged real estate may be taken and sold. If two or more such judgments are rendered at the same term of the same court, the court shall direct in writing on which execution the property shall be sold, and in that event, and also in the event that the officer holding any execution recovered under the provisions of this act shall be notified in writing by any lienor who has caused said property to be

Property may be taken and sold on execution to satisfy judgment.

—how judgments shall be satisfied when two or more are rendered at same term.

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attached as aforesaid, or who has filed his bill in equity as provided in said chapter thirty, that he claims a portion of the proceeds of the sale, said officer, unless all owners of such judgments, and all lienors so notifying such officer otherwise direct, shall thereupon sell said property as aforesaid, and after deducting the fees and expenses of sale, shall return the balance into the court of highest jurisdiction in which any such lien suit is pending, or in which such a lien judgment has been rendered, and such court shall distribute such fund pro rata among the lienors who shall satisfactorily prove their right to share in the same. The court issuing execution on which the sale is made, may fix the time within which the owner shall have the right to redeem the property from such sale. The court distributing the fund may make such decree in regard to costs as is equitable. Any balance not required to pay such lien claims and costs shall be paid to the person or persons legally or equitably entitled thereto.

—time within which property may be redeemed.

Section 7, chapter 30, applicable.

Sect. 4. Section seven of said chapter thirty is applicable in cases of actions commenced and attachments made under the provisions of this act.

Sect. 5. This act shall take effect when approved.

Approved March 17, 1897.

Chapter 233.

An Act authorizing the establishment of Free Libraries in villages and of branch libraries in towns and cities.

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

Villages authorized to establish free libraries.

—may assess tax in support of.

—library shall be entitled to stipend from the state.

Sect. 1. Any incorporated village within this state located in a town where no free library exists, is hereby authorized and empowered to establish a library within its limits for the free use of all of its inhabitants; and to levy and assess a corporate tax and to appropriate therefrom for the foundation and commencement of such library, a sum not exceeding two dollars, and for its maintenance and increase annually a sum not exceeding one dollar per each ratable poll resident within such village corporate limits in the year next preceding. Such library so established and maintained shall be entitled to receive from the state treasury, a sum equal to ten per cent of