

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

# STATE OF MAINE

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

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time consigned to or pledged with them, whether in their constructive, actual or exclusive occupancy or possession or not, and upon the proceeds resulting from the sale or other disposition of such materials, goods in process and merchandise, for all their loans and advances to or for the account of the person creating the lien, hereinafter called the borrower, together with interest thereon, and also for the commissions, obligations, indebtedness, charges and expenses properly chargeable against or due from said borrower and for the amounts due or owing upon any notes or other obligations given to or received by them for or upon account of any such loans or advances, interest, commissions, obligations, indebtedness, charges and expenses, and such lien shall be valid from the time of filing the notice hereinafter referred to, whether such materials, goods in process or merchandise shall be in existence at the time of the agreement creating the lien or at the time of filing such notice or shall come into existence subsequently thereto or shall subsequently thereto be acquired by the borrower; ~~provided that there shall be placed and maintained on the door of, or in a conspicuous place at one of the principal entrances of the place of business or other premises in or at which such materials, goods in process and merchandise shall be located, kept or stored, the name of the factor in legible lettering and a designation of said factor as factor; and provided further that a notice of the lien is filed stating:~~

Sec. 2. R. S., c. 181, § 6, amended. The last sentence of section 6 of chapter 181 of the revised statutes is hereby amended to read as follows:

'When materials, goods in process or merchandise subject to the lien provided for by sections 4 to 11, inclusive, are sold in the ordinary course of the business of the borrower, such lien, whether or not the purchaser has knowledge of the existence thereof, shall terminate as to the materials, goods in process or merchandise and shall attach to the proceeds of such sale in the hands of the borrower without further act, writing or formality to the accounts receivable or proceeds of such sale in the hands of the borrower.'

Sec. 3. R. S., c. 181, § 9, amended. Section 9 of chapter 181 of the revised statutes is hereby amended to read as follows:

'Sec. 9. Common law lien. When any factor, or any third party for the account of any such factor, shall have possession of materials, goods in process or merchandise, such factor shall have a continuing general lien, as set forth in section 4, without recording the notice and posting the sign provided for in sections 4 to 11, inclusive.'

Effective August 20, 1955

## Chapter 26

### AN ACT Relating to Filing of Nomination Papers in Towns.

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

R. S., c. 91, § 54, amended. The first sentence of section 54 of chapter 91 of the revised statutes is hereby amended to read as follows:

'Certificates of nomination shall be filed with the town clerk of said town at least 8 days previous to the day of election and nomination papers shall be so filed at

least 6 days previous to the day of election unless the town shall by vote establish a different filing date.'

Effective August 20, 1955

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## Chapter 27

### AN ACT Relating to Roadside Picnic Areas.

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

R. S., c. 23, § 97, amended. Section 97 of chapter 23 of the revised statutes is hereby amended to read as follows:

'Sec. 97. Construction and maintenance of picnic areas, etc. The Commission is authorized to construct along state and state aid highways roadside picnic areas, roadside springs, scenic turnouts or other landscaping where in the opinion of the State Highway Commission it may seem advisable and place distinguishing signs upon the same; and the Commission is further authorized to use for the maintenance of the same such funds as are now available for maintenance of state and state aid highways. ~~The cost of constructing any one such project shall not exceed \$600, except that not more than a such projects may be constructed in any 1 year at a cost of not more than \$1,000 each.~~

Effective August 20, 1955

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## Chapter 28

### AN ACT Relating to Embezzling by Certain Public Officers.

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

R. S., c. 132, § 8, amended. Section 8 of chapter 132 of the revised statutes is hereby amended to read as follows:

'Sec. 8. Prosecutions for embezzling, or fraudulently converting money, etc., by cashier or other officer. In prosecutions for embezzling, fraudulently converting to one's own use, or taking and secreting with intent so to embezzle or fraudulently convert, the bullion, money, notes, bank notes, checks, drafts, bills of exchange, obligations or other securities for money, of any person, bank, incorporated company or, copartnership, municipal or quasi-municipal corporation, public officer or tax collector, by a cashier or other officer, clerk, agent or servant of such person, bank, incorporated company or, copartnership, municipal or quasi-municipal corporation, public officer or tax collector, or by such public officer or tax collector, it is sufficient to allege generally in the indictment an embezzlement, fraudulent conversion or taking with such intent, of money to a certain amount, without specifying any particulars of such embezzlement; and at the trial, evidence may be given of such embezzlement, fraudulent conversion or taking with such intent, committed within 6 months before the time stated in the indictment; and it is sufficient to maintain the charge in the indictment, and is not a variance, if it is proved that any bullion, money, note, bank note, check, draft, bill of exchange or other security for money, of such