

# MAINE STATE LEGISLATURE

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## CHAPTER 617

**LOGS, LUMBER, WOOD AND BARK**

Sec.

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**§ 3601. Logs and lumber generally**

Whoever labors at cutting, hauling, rafting or driving logs or lumber, or at cooking for persons engaged in such labor, or in shoeing horses or oxen, or repairing property while thus employed, has a lien on the logs and lumber for the amount due for his personal services and the services performed by his team, and for the use of his truck, motor vehicle or other mechanical equipment, which takes precedence of all other claims except liens reserved to the State. Whoever both shores and runs logs by himself, his servants or agents has a lien thereon for the price of such shoring and running. Such liens continue for 60 days after the logs or lumber arrive at the place of destination for sale or manufacture and may be enforced by attachment.

R.S.1954, c. 178, § 52.

**§ 3602. Boomage paid by officer; lien not defeated by note; notice**

The officer making such attachment may pay the boomage thereon, not exceeding the rate per thousand on the quantity actually attached by him, and return the amount paid on the writ of attachment, which shall be included in the damages recovered. The action or lien is not defeated by taking a note, unless it is taken in discharge of the amount due and of the lien. Such notice of the action as the court orders shall be given to the owner of the logs or lumber, and he may be admitted to defend it.

R.S.1954, c. 178, § 53; 1959, c. 317, § 400; 1961, c. 317, § 608.

**§ 3603. Logs driven by contract**

Whoever drives logs or lumber by contract with the owner or with any other person has a lien on said logs or lumber for the amount payable under said contract, which takes precedence of all other claims, except liens for labor, for stumpage and for towing, continues for 60 days after the logs or lumber arrive at the place of destination for sale or manufacture and may be enforced by attachment. When the contract is made with any person other than the owner of the logs or lumber, actual notice in writing shall be given to the owner before work is begun, stating therein the terms of the contract. If the owner, at the time said notice is given him or immediately thereafter, notifies said contractor in writing that he will not be responsible for the amount payable or to become payable under said contract, then said contractor shall not have a lien on said logs or lumber so driven.

R.S.1954, c. 178, § 54.

**§ 3604. Logs towed**

Owners of steamboats employed in towing logs or lumber on any of the inland waters of the State have a lien on such logs or lumber for the amounts due for such towing. Such lien continues for 60 days after the logs or lumber arrive at the place of destination for sale or manufacture and may be enforced by attachment. Said lien shall take precedence of all other claims except liens reserved to the State, liens for labor and for stumpage.

R.S.1954, c. 178, § 55.

**§ 3605. Logs, lumber or pulpwood for advances of money or goods**

Whoever makes an advance or series of advances of money or merchandise to the owner of, or person entitled to the possession of, any logs, lumber or pulpwood for the purpose of financing or furnishing supplies for the cutting, hauling, rafting, booming, driving or towing of the same shall have a lien for the amount of all such advances upon all of such logs, lumber and pulpwood on which he or it has at any time caused his or its registered mark to be placed, which lien shall take precedence over all other claims except that it shall be subject to liens for labor, stumpage, towing or driving whenever acquired and all other liens legally acquired prior to the placing of such registered mark thereon, and such lien with respect to each such advance or series of ad-

vances shall continue for 2 years after the making of the last such advance, and may be enforced by attachment. The term "registered mark" as used in the foregoing sentence means a mark described in a certificate of registration issued by the Secretary of State pursuant to the following paragraph and recorded in the registry of deeds for the county or registry district of a county in which such logs, lumber or pulpwood were situated when such registered mark was placed thereon. No person, firm or corporation shall cause his or its registered mark to be placed upon any log or piece of lumber or pulpwood bearing the registered mark of any other person, firm or corporation without the written consent of the latter, and a registered mark placed upon any log or piece of lumber or pulpwood in contravention of this sentence shall create no lien thereon.

Any person, firm or corporation, desiring to appropriate for his or its own exclusive use any distinctive mark to be placed upon logs, lumber or pulpwood for identification, may file a copy of such mark, accompanied by a statement claiming the exclusive use thereof for such purpose, with the Secretary of State, who, if satisfied that such mark is not the duplicate of, or so closely resembles as to cause confusion, any such mark theretofore registered in his office, shall register such mark and issue to and in the name of such person, firm or corporation a certificate of registration of such mark. The person, firm or corporation in whose name such certificate of registration is issued shall be entitled to exclusive use of the mark therein described for all purposes of this section. Upon request the Secretary of State shall issue certified copies of such certificates of registration upon payment of the fees provided therefor.

A copy of any such certificate of registration, certified by the Secretary of State and without acknowledgment, may be recorded in any registry of deeds upon payment of the fee provided therefor.

The Secretary of State shall receive a fee of \$5 for the registering of each such mark, which fee shall cover issuance of the certificate of registration thereof, and a fee of \$1 for the issuance of each certified copy of such certificates. Registers of deeds shall receive a fee of \$1 for recording a certified copy of any such certificate of registration.

R.S.1954, c. 178, § 56.

**§ 3606. Hemlock bark, cordwood and pulpwood**

Whoever labors at cutting, peeling or hauling hemlock bark, or cutting, yarding or hauling cordwood, or cutting, peeling, yarding or hauling pulpwood or any wood used in the manufacture of pulpwood, or at cooking for persons engaged in such labor, has a lien thereon for the amount due for his personal labor and the services performed by his team, which takes precedence of all other claims, continues for 30 days after the contract is completed, and may be enforced by attachment.

R.S.1954, c. 178, § 57.

**§ 3607. Last blocks, shovel handle blocks, railroad ties and ship knees**

Whoever labors in the manufacturing of last blocks, shovel handle blocks, railroad ties or ship knees, or is engaged in cooking for persons engaged in such labor, or cuts or furnishes wood for the manufacture of last blocks or shovel handle blocks, or furnishes a team for the hauling of last blocks or shovel handle blocks or the lumber from which they are made, or for the hauling of railroad ties or ship knees, has a lien on said last blocks, shovel handle blocks, railroad ties and ship knees, as the case may be, for the amount due him for his personal labor thereon and for the services of his team and for the amount due for wood so cut or furnished for the manufacture of said last blocks or shovel handle blocks, which takes precedence of all other claims, except liens reserved to the State, and continues for 30 days after said last blocks are stored or housed for drying purposes, or for 30 days after said shovel handle blocks arrive at their destination either for shipment or to be turned, or for 30 days after said railroad ties are on the line of a railroad, or for 30 days after said ship knees are delivered in a shipyard. Such lien may be enforced by attachment.

R.S.1954, c. 178, § 58.

**§ 3608. Shingles, staves, laths, dowels and spool timber**

Whoever labors at cutting, hauling or sawing shingle, stave, lath, dowel or spool timber, or in the manufacture of shingle, stave, lath, dowel or spool timber into shingles, staves, laths, dowels or spool bars, or at piling staves, laths, dowels or spool bars, or at bunching shingles or dowels, or at cooking for persons engaged in such labor, has a lien thereon for the amount due for his personal labor thereon and the services performed by his



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team, which takes precedence of all other claims and continues for 60 days after such shingle, stave, lath or dowel timber and such shingles, staves, laths and dowels are manufactured, provided the same have not been sold and shipped, or for 60 days after such spool timber or spool bars arrive at the place of destination for sale or manufacture. Such lien may be enforced by attachment.

R.S.1954, c. 178, § 59.