
By Mr. DeSaulnier of Chelmsford, petition of Edward J. DeSaulnier, Jr., relative to security for payment for construction or manufacture of any component part of any public work. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Six.

AN ACT RELATIVE TO SECURITY FOR PAYMENT FOR CONSTRUCTION OR MANUFACTURE OF ANY COMPONENT PART OF ANY PUBLIC WORK.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 29 of chapter 149 of the Gen-
2 eral Laws, as amended by chapter 361 of the acts of
3 1938, is hereby further amended by inserting after the
4 first paragraph the following paragraph:—

5 Any person to whom is owed sums for the construc-
6 tion or manufacture of any component part of any pub-
7 lic work hereinbefore referred to which is made according
8 to a plan or design for that particular work and furnished
9 by the county, city or town, even though such compo-
10 nent part has not been incorporated in such public work,
11 may obtain the benefit of such security if he shall file in
12 the office of such officers or agents, a sworn statement of
13 his claim within sixty days after completing the manu-
14 facture of such component part; provided, first, that he
15 sets forth in said sworn statement of claim a description
16 of each component part sufficient to identify it to the
17 county, city or town engineers in charge of such work;
18 second, that he therein states that title to each compo-
19 nent part is thereby transferred to the county, city or
20 town, or its nominee; and third, that the part has been

21 delivered or if the part has not been delivered, he files
22 with his sworn statement of claim a bond with sureties
23 guaranteeing the delivery of such component parts at the
24 site of such public building or public work on the order
25 of the county, city or town or its nominee and such bond
26 with sureties further guaranteeing the component parts
27 to be in accordance with the specifications of the county,
28 city or town or its nominee.

1 SECTION 2. Section 39 of chapter 30 of the General
2 Laws, as most recently amended by section 1 of chap-
3 ter 472 of the acts of 1935, is hereby further amended
4 by inserting after the first paragraph the following
5 paragraph: —

6 Any person to whom is owed sums for the construction
7 or manufacture of any component part of any public
8 work hereinbefore referred to which is made according
9 to a plan or design for that particular work and furnished
10 by the commonwealth, even though such component part
11 has not been incorporated in such public work, may ob-
12 tain the benefit of such security if he shall file in the office
13 of such officers or agents, a sworn statement of his claim
14 within sixty days after completing the manufacture of
15 such component part; provided, first, that he sets forth
16 in said sworn statement of claim a description of each
17 component part sufficient to identify it to the common-
18 wealth engineers in charge of such work; second, that
19 he therein states that title to each component part is
20 thereby transferred to the commonwealth, or its nominee;
21 and third, that the part has been delivered or if the part
22 has not been delivered, he files with his sworn statement
23 of claim a bond with sureties guaranteeing the delivery
24 of such component parts at the site of such public build-
25 ing or public work on the order of the commonwealth or
26 its nominee and such bond with sureties further guaran-
27 teeing the component parts to be in accordance with the
28 specifications of the commonwealth or its nominee.