

HOUSE No. 155

By Mr. Standish of Stoneham, petition of David J. White and another that liens be provided under contracts for furnishing material and labor for reclaiming land by the various forms of dredging. Judiciary (Joint).

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-One.

An Act providing Liens under Contracts for Furnishing Material and Labor for Reclaiming Land by the Various Forms of Dredging.

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 two of chapter two hundred and fifty-
2 four of the General Laws is hereby amended by
3 inserting after the word "therefor" in the fourth
4 line thereof the words following, to wit:—or for
5 furnishing material and labor for reclaiming or
6 raising the level of land by suction dredging,
7 hydraulic dredging, or any other form of dredging,—
8 and by inserting after the word "land" in the fifth
9 line thereof the words:—or raised land,—and by
10 inserting after the word "contract" in the ninth
11 line thereof the words following, to wit:—pro-
12 vided, however, that no lien shall be acquired here-
13 under against the commonwealth,—so that said
14 section as thus amended will read as follows:—

15 *Section 2.* A person entering into a written con-
16 tract with the owner of land for the whole or any
17 part of the erection, alteration, repair or removal
18 of a building or structure upon land, or for furnish-
19 ing material therefor, or for furnishing material and
20 labor for reclaiming or raising the level of land by
21 suction dredging, hydraulic dredging, or any other
22 form of dredging, shall have a lien upon said build-
23 ing or structure and upon the interest of the owner
24 in said lot of land or raised land as appears of
25 record at the date when notice of said contract is
26 filed or recorded in the registry of deeds for the
27 county or district where such land lies, to secure
28 the payment of all labor and material which shall
29 thereafter be furnished by virtue of said contract;
30 provided, however, that no lien shall be acquired
31 hereunder against the commonwealth. Said notice
32 may be filed or recorded by any person entitled
33 under this chapter to enforce a lien, and shall be
34 in substantially the following form:

35 Notice is hereby given that by virtue of a written
36 contract, dated _____, between
37 _____ owner, and _____, contractor, said
38 contractor is to furnish labor and material for the
39 erection, alteration, repair or removal of a building
40 on a lot of land described as follows:

41 Said contract is to be completed on or be-
42 fore _____.

43 A notice of any extension of such contract, stat-
44 ing the date to which it is extended, shall also be
45 filed or recorded in the said registry prior to the
46 date stated in the notice of the contract for the
47 completion thereof, and may be filed by any party
48 entitled to file the original notice.

49 Such notices, and all other instruments herein-
50 after required to be filed or recorded in the registry
51 of deeds, affecting registered land shall be filed and
52 registered in the manner prescribed by section
53 seventy-eight of chapter one hundred and eighty-
54 five. Such notices, and all other instruments here-
55 inafter required to be filed or recorded in the regis-
56 try of deeds, affecting unregistered land shall be
57 indexed in a separate book to be kept for that pur-
58 pose.

59 If registered land is included with unregistered
60 land in any such notice or other instrument, an at-
61 tested copy thereof shall be filed with the assistant
62 recorder and registered.

