

# MAINE STATE LEGISLATURE

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# Sixty-Eighth Legislature.

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SENATE.

No. 128.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND NINETY-SEVEN

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AN ACT additional to chapter one hundred and five of the  
Revised Statutes, relating to Limitation of Real Actions and  
Rights of Entry.

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

Section 1. Chapter one hundred and five of the Revised  
2 Statutes, is hereby amended by adding thereto as sections  
3 sixteen and seventeen the following:

‘Section 16. No right of way or other easement existing  
5 in, upon, over or through the land of another, shall be  
6 extinguished by the adverse obstruction thereof, unless  
7 such adverse obstruction has been continued uninterrupt-  
8 edly for twenty years; and a notice in writing given by the

9 owner of such right of way or other easement to the per-  
10 son whose land is subject thereto, setting forth said owner's  
11 intention to contest the extinguishment of such right of  
12 way or other easement, and duly served and recorded as  
13 hereinafter stated, shall be deemed an interruption of such  
14 obstruction and prevent the extinguishment of such right  
15 of way or other easement.'

'Section 17. Such notice may be given by the owner of  
17 such right of way or other easement, his agent or guardian,  
18 or by an officer, by giving in hand to the owner of the land  
19 subject thereto, his agent or guardian, if in the State, an  
20 attested copy thereof, or by leaving it at his dwelling house,  
21 or, if not in the State, an attested copy may be left with  
22 the tenant or occupant of the estate, if any; if not, such copy  
23 shall be posted in some conspicuous place upon said estate.  
24 The person serving or posting said notice shall make his  
25 return on the original notice; and the whole shall be  
26 recorded in the registry of deeds in the county where the  
27 land lies, within three months from the time of such service.'



STATE OF MAINE.

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IN SENATE, March 4, 1897.

Reported by Mr. STEARNS, from Committee on the Judiciary, and laid  
on table to be printed under joint rules.

**KENDALL M. DUNBAR, *Secretary.***