

MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 583

H. P. 1442

House of Representatives, February 16, 1937.

Referred to Committee on Judiciary. Sent up for concurrence and 1000 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Mosher of Farmington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

AN ACT Relating to Rights of Way.

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

R. S., c. 119, § 13, amended. Section 13 of chapter 119 of the revised statutes, is hereby amended by adding at the end thereof the following words:

'Sec. 13. Right of way not to be extinguished by adverse obstruction, unless such obstruction has continued for 20 years; interruption by notice. No right of way or other easement existing in, upon, over, or through the land of another, shall be extinguished by the adverse obstruction thereof, unless such adverse obstruction has been continued uninterruptedly for 20 years; and a notice in writing given by the owner of such right of way or other easement to the person whose land is subject thereto, setting forth said owner's intention to contest the extinguishment of such right of way or other easement, and duly served and recorded as provided in section 12, shall be deemed an interruption of such obstruction and prevent the extinguishment of such right of way or other easement, **except in the case of public owned rights of ways—viz., state, county or municipal ways—no notice is necessary to preserve their right of way indefinitely.'**