

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1905.

Chapter 35.

An Act additional to Section twelve of Chapter one hundred and seven of the Revised Statutes, relating to Easements.

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

Right of way shall not be acquired except by adverse use for 20 years.

Section 1. No right of way or other easement through, in, upon or over the land of another shall be acquired by the adverse use and enjoyment thereof by the public or any class of persons, unless such use and enjoyment is continued uninterruptedly for twenty years; and if the owner of such land apprehends that such right or easement may be acquired, he may give notice in writing of his intention to contest such right or easement, by causing a copy of such notice to be posted in a conspicuous place on the premises; the person posting such notice shall make his return, verified by affidavit, on the original notice, and the whole shall be recorded in the registry of deeds in the county or district where the land lies, within three months from the time of such posting; and such notice being so recorded, shall be deemed an interruption of such use, and prevent the acquisition of a right thereto.

—proceedings in case of contest.

—shall post notice.

—shall make record in registry of deeds.

Section 2. This act shall take effect when approved.

Approved March 7, 1905.

Chapter 36.

An Act to amend Section seventeen of Chapter fifty-three of the Revised Statutes, relating to Street Railroads.

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

Section 17, chapter 53, R. S., amended.

Section 1. Section seventeen of chapter fifty-three of the revised statutes is hereby amended by adding the words 'and to other points or places within the cities or towns where built or located' after the word "association" in line four of said section, so that said section as amended, shall read as follows:

Street railroads may extend lines.

'Section 17. Any street railroad corporation in this state may be authorized to extend, construct, maintain and operate its road to, into and through cities and towns other than and in addition to those named in its charter or articles of association, and to other points or places within the cities or towns where built or located, on application to the board of railroad commissioners, and by compliance with and subject to the provisions of section seven of this chapter; the right of any connecting street

—provisions.

railroad company specially conferred upon it by its charter shall be preserved unimpaired.'

Section 2. This act shall take effect when approved.

Approved March 7, 1905.

Chapter 37.

An Act to amend Section twenty-five of Chapter one hundred and fourteen of the Revised Statutes, relating to the relief of Poor Debtors.

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

Section twenty-five of chapter one hundred and fourteen of the revised statutes is hereby amended by adding thereto the following: 'Should the owner of said judgment or his attorney neglect to have the original petition and subpoena before said magistrate at the time therein designated for said disclosure, upon prayer therefor said magistrate shall issue an execution against said judgment owner in favor of said debtor for his travel at six cents per mile and attendance at one dollar and fifty cents, if he actually attends at said time and place, and said debtor shall not thereafter be compelled to disclose on said judgment until said execution has been satisfied,' so that said section as amended, shall read as follows:

Section 25,
chapter 114, R.
S., amended.

'Section 25. At such time and place, the debtor shall appear and submit himself to examination on oath concerning his estate and effects, their disposal and his ability to pay the judgment. Should the owner of said judgment or his attorney neglect to have the original petition and subpoena before said magistrate at the time therein designated for said disclosure, upon prayer therefor, said magistrate shall issue an execution against said judgment owner in favor of said debtor for his travel at six cents per mile and attendance at one dollar and fifty cents, if he actually attends at said time and place, and said debtor shall not thereafter be compelled to disclose on said judgment until said execution has been satisfied.'

Debtor shall
appear and
submit to
examination.

—debtor may
have travel
and per diem.

Approved March 7, 1905.