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Regarding 2024 H 7750 – Relating to property – by possession and prescription

Speaking in Favor on March 12, 2024 (written follow-up)

Chair and Members of House Judiciary:

Thank you for allowing me to speak on H 7750, the bill that repeals the requirement for ancient paths to have been used by carriages in order for them to be considered to be acquired by prescription or adverse use.

I speak in favor of this Bill. It protects the status of ancient paths used by Indian People – Native Americans, then settlers after first contact, and now, for all of us too.

Acquisition by prescription or adverse possession is an extraordinary part of our heritage, not to be used lightly. But there are events coming up now, hundreds of years after first contact, which are attacking our ancient pathways to our first highways: the ocean, our shoreline, our bays and salt ponds, and our rivers and streams. Used the right way, like any tool, prescription and adverse possession protect this most valuable heritage.

Think of the Cliff Walk. Yes, it exists by the good grace of the owners. But there is more to it. I like to think that I am walking down a trail that has been used for hundreds of years, if not millennia. Parts near Rough Point were never carriage accessible. H 7750 protects that most important economic asset we have, with the possible exception of our harbor and industrial center at Quonset Point.

And even at Quonset, H 7750 might play a role in protecting paths to the shore.

I urge passage of this bill.


/ss/ Richard Langseth