

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

September 3, 1957

To William B. Oliver, Secretary
State Soil Conservation Committee of Maine

I have your letter requesting advice in regard to the liability of the owner of a farm pond in case of accident. With your letter you enclosed another which had been written to you asking in regard to farm ponds,

"Should they be fenced? Posted? Is the owner liable in case of drowning, etc.?"

In the first place, unless your agents are lawyers, they should not be attempting to give legal advice. The questions asked of you, which you in turn ask of me, are entirely dependent upon the facts involved in each particular case, and the questions are such that no one answer can be given as a hard and fast rule.

If your supervisors or agents have those in their districts who have serious questions in regard to liability involved in creating or maintaining farm ponds, they should advise those people to consult their own lawyers.

Frank F. Harding
Attorney General

FFH:c