

MAINE STATE LEGISLATURE

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February 19, 1965

Honorable Elmer H. Violette
Chairman, Judiciary Committee
Senate Chamber
Augusta, Maine

Dear Senator Violette:

In connection with the deliberations of your committee on L.D. No. 166 you have requested an opinion as to who would have title to the artificial accretion which would result from approval of this Resolve.

If such an accretion were made without legislative authority, the act would be a trespass on State land and title to the accretion would remain in the State. The wording of L.D. No. 166 is such, however, that it could be construed that the State, by authorizing the accretion, had conferred title on the several owners of the land now abutting on the pond. It is, therefore, suggested that, if the committee is going to report out a favorable bill, the bill be amended by including a statement as to whom shall have title. If the committee considers that the several land-owners should have title to such portion of the accretion as lies in front of their land, each owner should be named in the bill.

Whether title is to be in the abutting owners or in the State, there should be a provision ordering the Secretary of State to have the Resolve recorded in the Aroostook County Registry of Deeds.

Very truly yours,

Leon V. Walker, Jr.
Assistant Attorney General

LVMJr:H