
SEVENTY-FIFTH LEGISLATURE

SENATE

NO. 199

In Senate, Mar. 15, 1911.

Reported by Mr. Kellogg from committee on Interior Waters and ordered printed under joint rules.

W. C. HANSON, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND ELEVEN.

AN ACT to amend by adding to Section thirty-six of Chapter ninety-four of the Revised Statutes, relating to the creation of ponds for cutting and harvesting ice for the market.

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

Section 1. Section thirty-six of Chapter ninety-four of
2 the Revised Statutes is hereby amended by adding to said
3 section the following: 'And this section shall not be con-
4 strued as authorizing any persons or corporations to cut
5 ice on any pond created as provided herein over any area the
6 soil of which such persons or corporations do not own or
7 lease or possess, as tenants at will, or by reason of a valid
8 agreement with the owner or lessee or tenant thereof, when
9 said owner or lessee is not the state and the pond is not a
10 great pond,' so that said section as amended shall read as
11 follows:

'Sect. 36. In order to create ponds for the cutting and
13 harvesting of ice for the market, any persons or corpora-
14 tions may erect and maintain on their own land, dams on
15 streams not navigable or floatable, but emptying into tide
16 waters navigable in the winter, and may flow the lands
17 above during November, December, January, February,
18 March and April: but they shall draw off the water to its
19 natural state by the twentieth day of May yearly: and if
20 any lands are injured by such flowing, the owners thereof
21 have the same remedies as in case of lands flowed by dams
22 erected and maintained for mill purposes; but no right is
23 granted by this or the preceeding Section to flow any mill-
24 dam or any mill privilege improved or unimproved—and
25 this Section shall not be construed as authorizing any per-
26 sons or corporations to cut ice on any pond created as pro-
27 vided herein over any area the soil of which such persons
28 or corporations do not own or lease or possess as tenants
29 at will, or by reason of a valid agreement with the owner
30 or lessee or tenant thereof when said owner or lessee is not
31 the state and the pond is not a great pond.'