

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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

AUGUSTA
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1911

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth
Legislature

1911

Chapter 89.

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 thirty-six of chapter ninety-four of the revised statutes is hereby amended by adding to said section the following: 'and this section shall not be construed as authorizing any persons or corporations to cut ice on any pond created as provided herein over any area the soil of which such persons or corporations do not own or lease or possess, as tenants at will, or by reason of a valid agreement with the owner or lessee or tenant thereof, when said owner or lessee is not the state and the pond is not a great pond,' so that said section as amended shall read as follows:

Section 36,
chapter 94,
R. S. amend-
ed.

'Section 36. In order to create ponds for the cutting and harvesting of ice for the market, any persons or corporations may erect and maintain on their own land, dams on streams not navigable or floatable, but emptying into tide waters navigable in the winter, and may flow the lands above during November, December, January, February, March and April; but they shall draw off the water to its natural state by the twentieth day of May yearly; and if any lands are injured by such flowing, the owners thereof have the same remedies as in case of lands flowed by dams erected and maintained for mill purposes; but no right is granted by this or the preceding section to flow any mill-dam or any mill privilege improved or unimproved,—and this section shall not be construed as authorizing any persons or corporations to cut ice on any pond created as provided herein over any area the soil of which such persons or corporations do not own or lease or possess as tenants at will, or by reason of a valid agreement with the owner or lessee or tenant thereof when said owner or lessee is not the state and the pond is not a great pond.'

Dams for ice
cutting and
harvesting,
may be erect-
ed on certain
streams, by
land owner.

—damages
for flowing,
how recov-
ered.

—proviso.

Approved March 25, 1911.